Laws

of the

State of Maryland

At the Session of the General Assembly Begun and Held in the
City of Annapolis on the Twelfth Day of January 2011
and Ending on the Eleventh Day of April 2011

VOLUME V

The Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)
Other Areas: (1-800-492-7122)
TTY: (410-946-5401) (301-970-5401)
TTY users may also contact the
Maryland Relay Service to contact the General Assembly

E-Mail: libr@mlis.state.md.us
Home Page: http://mlis.state.md.us

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

Chapter 588

(House Bill 287)

AN ACT concerning

Maryland Perfusion Act

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of perfusion; providing that this Act does not limit the rights of certain individuals to practice certain occupations; authorizing the Board to set certain fees; establishing the Perfusion Advisory Committee within the Board; providing for the membership, powers, and duties of the Committee; establishing the terms and requirements for certain members of the Committee; requiring that on or before a certain date an individual be licensed by the Board before the individual may practice perfusion; providing that certain licensing provisions do not apply to students practicing perfusion under certain circumstances; providing for the qualifications for a license to practice perfusion; providing that certain applicants who qualify for a license under certain circumstances are entitled to be licensed for a single term; providing for the scope of a license to practice perfusion; providing for the issuance, expiration, and renewal of certain licenses; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for licensed perfusionists; prohibiting certain acts; providing for certain criminal and civil penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; ~~providing for the waiver of certain licensure requirements under certain circumstances;~~ requiring that initial perfusionist members of the Committee apply for and receive a license within a certain period of time; specifying the terms of the initial members of the Committee; defining certain terms; ~~providing for the termination of certain provisions of this Act~~ providing for a delayed effective date; and generally relating to the regulation and licensure of perfusion.

BY renumbering
Article – State Government
Section 8–403(b)(46) through (68), respectively
to be Section 8–403(b)(47) through (69), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – Health Occupations
Section 14–5E–01 through ~~14–5E–26~~ ~~14–5E–24~~ *14–5E–25* to be under the new subtitle "Subtitle 5E. Perfusionists"

Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(46)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8–403(b)(46) through (68), respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(47) through (69), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health Occupations

SUBTITLE 5E. PERFUSIONISTS.

14–5E–01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "BOARD" MEANS THE STATE BOARD OF PHYSICIANS.

(C) "COMMITTEE" MEANS THE PERFUSION ADVISORY COMMITTEE ESTABLISHED UNDER § 14–5E–05 OF THIS SUBTITLE.

(D) "LICENSE" MEANS A LICENSE ISSUED BY THE BOARD TO PRACTICE PERFUSION.

(E) "LICENSED PERFUSIONIST" MEANS A PERFUSIONIST WHO IS LICENSED BY THE BOARD UNDER THIS SUBTITLE TO PRACTICE PERFUSION.

(F) (1) "PRACTICE PERFUSION" MEANS TO PERFORM THE FUNCTIONS NECESSARY FOR THE SUPPORT, TREATMENT, MEASUREMENT, OR SUPPLEMENTATION OF THE CARDIOVASCULAR, CIRCULATORY, OR

RESPIRATORY SYSTEMS, OR OTHER ORGANS TO ENSURE THE SAFE MANAGEMENT OF PHYSIOLOGIC FUNCTIONS BY MONITORING AND ANALYZING THE PARAMETERS OF THE SYSTEMS UNDER AN ORDER AND THE SUPERVISION OF A LICENSED PHYSICIAN.

(2) "PRACTICE PERFUSION" INCLUDES:

(I) CARDIOPULMONARY BYPASS FOR ADULT, PEDIATRIC, AND NEONATAL PATIENTS;

(II) EXTRACORPOREAL CIRCULATORY SUPPORT FOR RENAL, NEUROLOGICAL, HEPATIC, AND VASCULAR SURGERY;

(III) EXTRACORPOREAL RESUSCITATION;

(IV) EXTRACORPOREAL CIRCULATION FOR LONG–TERM SUPPORT OF FAILING RESPIRATORY OR CARDIAC FUNCTION;

(V) EXTRACORPOREAL MEMBRANE OXYGENATION;

(VI) EXTRACORPOREAL CARBON DIOXIDE REMOVAL;

(VII) MYOCARDIAL PROTECTION;

(VIII) PERFUSION–ASSISTED DIRECT CORONARY ARTERY BYPASS;

(IX) HEMOFILTRATION AND HEMODIALYSIS;

(X) ANTICOAGULATION AND HEMOSTASIS MONITORING, ANALYSIS, AND INTERVENTION;

(XI) THERMAL REGULATION;

(XII) BLOOD GAS AND BLOOD CHEMISTRY MONITORING, ANALYSIS, AND INTERVENTION;

(XIII) PHYSIOLOGICAL MONITORING, ANALYSIS, AND INTERVENTION;

(XIV) ADMINISTRATION OF BLOOD COMPONENTS~~, PHARMACEUTICALS, AND ANESTHETIC AGENTS~~ <u>AND PHARMACEUTICALS;</u>

(XV) ADMINISTRATION OF ANESTHETIC AGENTS THROUGH A HEART LUNG MACHINE AT THE DIRECTION OF AN ANESTHESIOLOGIST;

~~(XV)~~ (XVI) VENTRICULAR ASSIST DEVICE AND MECHANICAL CIRCULATORY SUPPORT MANAGEMENT;

~~(XVI)~~ (XVII) INTRA–AORTIC BALLOON COUNTERPULSATION;

~~(XVII)~~ (XVIII) TEMPORARY PACEMAKER MANAGEMENT;

~~(XVIII)~~ (XIX) PERIODIC FLOW AUGMENTATION THERAPY;

~~(XIX)~~ (XX) AUTOTRANSFUSION;

~~(XX)~~ (XXI) PLATELET GEL PRODUCTION, AUTOLOGOUS HEMOCYTE TISSUE MATRIX PRODUCTION;

~~(XXI)~~ (XXII) NONDIFFERENTIATED PROGENITOR CELL HARVEST BONE MARROW ASPIRATE CONCENTRATE;

~~(XXII)~~ (XXIII) ACUTE NORMOVOLEMIC HEMODILUTION;

~~(XXIII)~~ (XXIV) ISOLATED LIMB OR ORGAN DELIVERY OF CHEMOTHERAPEUTICS, PROGENITOR CELLS, GENE THERAPY VECTORS, AND OTHER ITEMS;

~~(XXIV)~~ (XXV) ORGAN PROCUREMENT AND PRESERVATION;

~~(XXV)~~ (XXVI) THERMOGENIC LAVAGE;

~~(XXVI)~~ (XXVII) ELECTROPHYSIOLOGICAL ANALYSIS;

~~(XXVII)~~ (XXVIII) THERAPEUTIC HYPERTHERMIA;

~~(XXVIII)~~ (XXIX) INTRAVASCULAR MEMBRANE OXYGENATION; AND

~~(XXIX)~~ (XXX) RENAL PERFUSION.

(G) "STUDENT" MEANS AN INDIVIDUAL WHO, IN ACCORDANCE WITH § 14–5E–09(C) OF THIS SUBTITLE, IS:

(1) ENROLLED IN AN ACCREDITED EDUCATIONAL PROGRAM TO QUALIFY FOR A LICENSE UNDER THIS SUBTITLE; AND

(2) PERFORMING PERFUSION SERVICES WITHIN THE ACCREDITED PROGRAM UNDER THE SUPERVISION OF A LICENSED PERFUSIONIST AND WITHOUT COMPENSATION.

(H) "SUPERVISION" MEANS THE ~~EXERCISE OF DIRECTION BY A LICENSED PERFUSIONIST WHO IS ON SITE OR IMMEDIATELY AVAILABLE TO ADEQUATELY~~ RESPONSIBILITY OF A LICENSED PHYSICIAN TO EXERCISE ON SITE OR IMMEDIATELY AVAILABLE DIRECTION FOR A LICENSED PERFUSIONIST TO ENSURE THE SAFETY AND WELFARE OF ~~CLIENTS~~ PATIENTS DURING THE COURSE OF PERFUSION.

14–5E–02.

THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF AN INDIVIDUAL TO PRACTICE A HEALTH OCCUPATION THAT THE INDIVIDUAL IS AUTHORIZED TO PRACTICE UNDER THIS ARTICLE.

14–5E–03.

THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND PRACTICE OF PERFUSION.

14–5E–04.

(A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE AND RENEWAL OF LICENSES AND OTHER SERVICES IT PROVIDES TO PERFUSIONISTS.

(2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM AND THE OTHER SERVICES PROVIDED TO PERFUSIONISTS.

(B) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE BOARD.

(C) THE FEES SHALL BE USED TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS SUBTITLE.

14–5E–05.

THERE IS A PERFUSION ADVISORY COMMITTEE WITHIN THE BOARD.

14–5E–06.

(A) THE COMMITTEE CONSISTS OF ~~FIVE~~ SEVEN MEMBERS, APPOINTED BY THE BOARD AS FOLLOWS:

(1) (I) ON OR BEFORE SEPTEMBER 30, ~~2012~~ 2013, THREE INDIVIDUALS WHO PRACTICE PERFUSION AND WHO:

1. ARE CERTIFIED BY A NATIONAL CERTIFYING BOARD; AND

2. HAVE A MINIMUM OF 2 YEARS EXPERIENCE; AND

(II) ON OR AFTER OCTOBER 1, ~~2012~~ 2013, THREE LICENSED PERFUSIONISTS;

(2) ~~ONE PHYSICIAN WHO HAS KNOWLEDGE OF THE PRACTICE OF PERFUSION~~ THREE PHYSICIANS, AT LEAST ONE OF WHOM PERFORMS CARDIAC OR CARDIO–THORACIC SURGERY; AND

(3) ONE CONSUMER MEMBER.

(B) THE CONSUMER MEMBER OF THE COMMITTEE:

(1) SHALL BE A MEMBER OF THE GENERAL PUBLIC;

(2) MAY NOT PRACTICE OR EVER HAVE PRACTICED PERFUSION OR ANY HEALTH CARE PROFESSION;

(3) MAY NOT BE OR EVER HAVE BEEN IN TRAINING TO PRACTICE PERFUSION OR ANY OTHER HEALTH CARE PROFESSION;

(4) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A HEALTH CARE PROFESSIONAL OR IS IN TRAINING TO BE A HEALTH CARE PROFESSIONAL; AND

(5) MAY NOT:

(I) PARTICIPATE OR EVER HAVE PARTICIPATED IN A COMMERCIAL OR PROFESSIONAL FIELD RELATED TO PERFUSION;

(II) HAVE A HOUSEHOLD MEMBER WHO PARTICIPATES IN A COMMERCIAL OR PROFESSIONAL FIELD RELATED TO PERFUSION;

(III) HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A FINANCIAL INTEREST IN A PERSON REGULATED BY THE BOARD; OR

(IV) HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A FINANCIAL INTEREST IN THE PROVISION OF GOODS OR SERVICES TO PERFUSIONISTS OR TO THE FIELD OF PERFUSION.

(C) (1) THE TERM OF A MEMBER IS 3 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1, ~~2011~~ 2012.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A CHAIR EVERY 2 YEARS.

14–5E–07.

IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS SUBTITLE, THE COMMITTEE SHALL:

(1) DEVELOP AND RECOMMEND TO THE BOARD:

(I) REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE;

(II) A CODE OF ETHICS FOR THE PRACTICE OF PERFUSION FOR ADOPTION BY THE BOARD;

(III) RECOMMENDATIONS CONCERNING THE PRACTICE OF PERFUSION, INCLUDING STANDARDS OF CARE FOR THE PRACTICE OF PERFUSION; AND

~~(IV) REQUIREMENTS FOR LICENSURE TO PRACTICE PERFUSION, INCLUDING:~~

~~1. CRITERIA FOR THE EDUCATIONAL AND CLINICAL TRAINING OF LICENSED PERFUSIONISTS; AND~~

~~2. CRITERIA FOR A PROFESSIONAL COMPETENCY EXAMINATION AND TESTING OF APPLICANTS FOR A LICENSE TO PRACTICE PERFUSION;~~

~~(V) CRITERIA FOR LICENSED PERFUSIONISTS WHO ARE LICENSED IN OTHER STATES TO PRACTICE PERFUSION IN THIS STATE;~~

~~(VI)~~ (IV) CONTINUING EDUCATION REQUIREMENTS FOR LICENSE RENEWAL; AND

~~(VII) CRITERIA FOR THE DIRECTION OF STUDENTS IN CLINICAL EDUCATION PROGRAMS BY LICENSED PERFUSIONISTS AND LICENSED PHYSICIANS;~~

~~(2) EVALUATE THE ACCREDITATION STATUS OF EDUCATION PROGRAMS IN PERFUSION FOR APPROVAL BY THE BOARD;~~

~~(3) EVALUATE THE CREDENTIALS OF APPLICANTS AND RECOMMEND LICENSURE OF APPLICANTS WHO FULFILL THE REQUIREMENTS FOR A LICENSE TO PRACTICE PERFUSION;~~

~~(4)~~ (2) KEEP A RECORD OF ITS PROCEEDINGS~~; AND~~.

~~(5) SUBMIT AN ANNUAL REPORT TO THE BOARD.~~

14–5E–08.

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, ON OR AFTER OCTOBER 1, ~~2012~~ 2013, AN INDIVIDUAL SHALL BE LICENSED BY THE BOARD BEFORE THE INDIVIDUAL MAY PRACTICE PERFUSION IN THIS STATE.

(B) THIS SECTION DOES NOT APPLY TO A STUDENT ENROLLED IN AN EDUCATION PROGRAM UNDER § 14–5E–09(C)(2) OF THIS SUBTITLE WHILE PRACTICING PERFUSION IN THAT PROGRAM.

14–5E–09.

(A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(B) THE APPLICANT SHALL:

(1) BE OF GOOD MORAL CHARACTER; AND

(2) BE AT LEAST 18 YEARS OLD.

(C) AN APPLICANT FOR A LICENSE TO PRACTICE PERFUSION SHALL:

(1) (I) SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF CERTIFICATION AS A CERTIFIED PERFUSIONIST OR OTHER NATIONAL CERTIFICATION APPROVED BY THE BOARD; AND

(II) MEET ANY OTHER EDUCATIONAL OR CLINICAL REQUIREMENTS ESTABLISHED BY THE COMMITTEE AND APPROVED BY THE BOARD; OR

(2) (I) SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF GRADUATION FROM A PERFUSION EDUCATIONAL PROGRAM THAT~~:~~

~~1. IS~~ IS ACCREDITED BY THE COMMITTEE ON ~~ALLIED HEALTH EDUCATION AND ACCREDITATION OF THE AMERICAN MEDICAL ASSOCIATION ON OR BEFORE JUNE 1, 1991; OR~~ ACCREDITATION OF ALLIED HEALTH EDUCATION PROGRAMS, OR THE COMMITTEE'S PREDECESSOR OR SUCCESSOR; AND

~~2. HAS EDUCATIONAL STANDARDS THAT ARE EQUIVALENT TO OR EXCEED THE STANDARDS ESTABLISHED BY THE COMMISSION ON ACCREDITATION OF ALLIED HEALTH EDUCATION PROGRAMS AS DETERMINED BY THE COMMITTEE; AND~~

(II) MEET ANY OTHER EDUCATIONAL OR CLINICAL REQUIREMENTS ESTABLISHED BY THE COMMITTEE AND APPROVED BY THE BOARD.

14–5E–10.

AN APPLICANT WHO OTHERWISE QUALIFIES FOR A LICENSE UNDER § 14–5E–09(C)(2) OF THIS SUBTITLE IS ENTITLED TO BE LICENSED FOR A SINGLE 2–YEAR TERM BEFORE TAKING THE NATIONAL CERTIFYING EXAMINATION GIVEN BY THE AMERICAN BOARD OF CARDIOVASCULAR PERFUSION OR ITS

SUCCESSOR ORGANIZATION OR ANOTHER EXAMINATION GIVEN OR APPROVED BY THE BOARD.

14–5E–11.

(A) TO APPLY FOR A LICENSE, AN APPLICANT SHALL:

(1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE BOARD REQUIRES; AND

(2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.

(B) THE BOARD SHALL ISSUE A LICENSE TO AN APPLICANT WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE.

14–5E–12.

A LICENSE AUTHORIZES AN INDIVIDUAL TO PRACTICE PERFUSION IN THIS STATE WHILE THE LICENSE IS EFFECTIVE.

14–5E–13.

(A) (1) A LICENSE EXPIRES ON A DATE SET BY THE BOARD, UNLESS THE LICENSE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS SECTION.

(2) A LICENSE MAY NOT BE RENEWED FOR A TERM LONGER THAN 2 YEARS.

(B) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE BOARD SHALL SEND TO THE LICENSED PERFUSIONIST A RENEWAL NOTICE THAT STATES:

(1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

(2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND SENT BEFORE THE LICENSE EXPIRES;

(3) THE AMOUNT OF THE RENEWAL FEE; AND

(4) FOR LICENSEES WHO QUALIFIED FOR AN INITIAL LICENSE UNDER § 14–5E–09(C)(2) OF THIS SUBTITLE, THAT THE LICENSEE MUST SUBMIT

SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE EXAMINATION AS REQUIRED UNDER SUBSECTION (C)(2) OF THIS SECTION.

(C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, BEFORE A LICENSE EXPIRES, THE LICENSED PERFUSIONIST PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL TERM, IF THE LICENSEE:

(I) OTHERWISE IS ENTITLED TO BE LICENSED;

(II) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD; AND

(III) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, SUBMITS TO THE BOARD:

1. A RENEWAL APPLICATION ON THE FORM THAT THE BOARD REQUIRES; AND

2. SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY CONTINUING EDUCATION OR COMPETENCY REQUIREMENTS AND OTHER REQUIREMENTS SET UNDER THIS SECTION FOR LICENSE RENEWAL.

(2) A LICENSEE WHO QUALIFIED FOR AN INITIAL LICENSE UNDER § 14–5E–09(C)(2) OF THIS SUBTITLE SHALL SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE NATIONAL CERTIFYING EXAMINATION GIVEN BY THE AMERICAN BOARD OF CARDIOVASCULAR PERFUSION OR ITS SUCCESSOR ORGANIZATION OR ANOTHER EXAMINATION GIVEN OR APPROVED BY THE BOARD.

(D) IN ADDITION TO ANY OTHER QUALIFICATIONS AND REQUIREMENTS ESTABLISHED BY THE BOARD, THE BOARD SHALL ESTABLISH CONTINUING EDUCATION OR COMPETENCY REQUIREMENTS AS A CONDITION OF THE RENEWAL OF A LICENSE UNDER THIS SECTION.

(E) (1) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(2) THE BOARD MAY NOT RENEW THE LICENSE OF A LICENSEE WHO FAILS TO SUBMIT SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE EXAMINATION AS REQUIRED UNDER SUBSECTION (C)(2) OF THIS SECTION.

(F) THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL WHO HAS NOT BEEN PLACED ON INACTIVE STATUS BUT HAS FAILED TO RENEW THE LICENSE FOR ANY REASON IF THE INDIVIDUAL:

(1) APPLIES FOR REINSTATEMENT WITHIN 30 DAYS AFTER THE DATE THE LICENSE EXPIRES;

(2) MEETS THE RENEWAL REQUIREMENTS OF THIS SECTION; AND

(3) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE BOARD.

14–5E–14.

(A) (1) A LICENSED PERFUSIONIST SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE.

(2) A LICENSED PERFUSIONIST WHO FAILS TO COMPLY WITH THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF $100.

(B) EACH LICENSED PERFUSIONIST SHALL DISPLAY THE LICENSE CONSPICUOUSLY IN THE OFFICE OR PLACE OF EMPLOYMENT OF THE LICENSEE.

~~**14–5E–15.**~~

~~**(A) (1) THE BOARD SHALL PLACE A LICENSED PERFUSIONIST ON INACTIVE STATUS, IF THE LICENSEE SUBMITS TO THE BOARD:**~~

~~**(I) AN APPLICATION FOR INACTIVE STATUS ON THE FORM REQUIRED BY THE BOARD; AND**~~

~~**(II) THE INACTIVE STATUS FEE SET BY THE BOARD.**~~

~~**(2) THE BOARD SHALL ISSUE A LICENSE TO AN INDIVIDUAL WHO IS ON INACTIVE STATUS IF THE INDIVIDUAL COMPLIES WITH THE RENEWAL REQUIREMENTS THAT EXIST AT THE TIME THE INDIVIDUAL CHANGES FROM INACTIVE TO ACTIVE STATUS.**~~

~~**(B) THE BOARD MAY REINSTATE THE LICENSE OF AN INDIVIDUAL WHO HAS NOT BEEN PUT ON INACTIVE STATUS, HAS FAILED TO RENEW THE LICENSE FOR ANY REASON, AND APPLIES FOR REINSTATEMENT MORE THAN 30 DAYS AFTER THE LICENSE HAS EXPIRED, IF THE INDIVIDUAL:**~~

~~**(1) MEETS THE RENEWAL REQUIREMENTS OF § 14–5E–13 OF THIS SUBTITLE;**~~

~~(2) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE BOARD; AND~~

~~(3) MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY REGULATION.~~

~~14–5E–16.~~ 14–5E–15.

UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A LICENSE, A LICENSED PERFUSIONIST MAY NOT SURRENDER THE LICENSE NOR MAY THE LICENSE LAPSE BY OPERATION OF LAW WHILE THE LICENSEE IS UNDER INVESTIGATION OR WHILE CHARGES ARE PENDING AGAINST THE LICENSEE.

~~14–5E–17.~~ 14–5E–16.

(A) SUBJECT TO THE HEARING PROVISIONS OF § 14–405 OF THIS TITLE, THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE, PLACE ANY LICENSEE ON PROBATION, OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR LICENSEE:

(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

(2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

(3) IS GUILTY OF UNPROFESSIONAL OR IMMORAL CONDUCT IN THE PRACTICE OF PERFUSION;

(4) IS PROFESSIONALLY, PHYSICALLY, OR MENTALLY INCOMPETENT;

(5) ABANDONS A PATIENT;

(6) IS HABITUALLY INTOXICATED;

(7) IS ADDICTED TO OR HABITUALLY ABUSES ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE;

(8) PROVIDES PROFESSIONAL SERVICES WHILE:

(I) UNDER THE INFLUENCE OF ALCOHOL; OR

(II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE OR ANY OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL INDICATION;

(9) PROMOTES THE SALE OF SERVICES, DRUGS, DEVICES, APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN;

(10) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN THE PRACTICE OF PERFUSION;

(11) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS REQUIRED UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR RECORDING OF A REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD A REPORT;

(12) BREACHES PATIENT CONFIDENTIALITY;

(13) PAYS OR AGREES TO PAY ANY SUM OR PROVIDE ANY FORM OF REMUNERATION OR MATERIAL BENEFIT TO ANY PERSON FOR BRINGING OR REFERRING A PATIENT OR ACCEPTS OR AGREES TO ACCEPT ANY SUM OR ANY FORM OF REMUNERATION OR MATERIAL BENEFIT FROM AN INDIVIDUAL FOR BRINGING OR REFERRING A PATIENT;

(14) KNOWINGLY MAKES A MISREPRESENTATION WHILE PRACTICING PERFUSION;

(15) KNOWINGLY PRACTICES PERFUSION WITH AN UNAUTHORIZED INDIVIDUAL OR AIDS AN UNAUTHORIZED INDIVIDUAL IN THE PRACTICE OF PERFUSION;

(16) KNOWINGLY DELEGATES A PERFUSION DUTY TO AN UNLICENSED INDIVIDUAL;

(17) OFFERS, UNDERTAKES, OR AGREES TO CURE OR TREAT DISEASE BY A SECRET METHOD, TREATMENT, OR MEDICINE;

(18) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY AUTHORITY OR IS CONVICTED OR DISCIPLINED BY A COURT OF ANY STATE OR COUNTRY OR IS DISCIPLINED BY ANY BRANCH OF THE UNITED STATES UNIFORMED SERVICES OR THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR AN ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES;

(19) FAILS TO MEET APPROPRIATE STANDARDS FOR THE DELIVERY OF PERFUSION SERVICES;

(20) KNOWINGLY SUBMITS FALSE STATEMENTS TO COLLECT FEES FOR WHICH SERVICES ARE NOT PROVIDED;

(21) (I) HAS BEEN SUBJECT TO INVESTIGATION OR DISCIPLINARY ACTION BY A LICENSING OR DISCIPLINARY AUTHORITY OR BY A COURT OF ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES; AND

(II) HAS:

1. SURRENDERED THE LICENSE, IF ANY, ISSUED BY THE STATE OR COUNTRY; OR

2. ALLOWED THE LICENSE, IF ANY, ISSUED BY THE STATE OR COUNTRY TO EXPIRE OR LAPSE;

(22) KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION OF § 5–704 OF THE FAMILY LAW ARTICLE;

(23) SELLS, PRESCRIBES, GIVES AWAY, OR ADMINISTERS DRUGS FOR ILLEGAL OR ILLEGITIMATE MEDICAL PURPOSES;

(24) PRACTICES OR ATTEMPTS TO PRACTICE BEYOND THE AUTHORIZED SCOPE OF PRACTICE;

(25) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE;

(26) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER BECAUSE THE INDIVIDUAL IS HIV POSITIVE; ~~OR~~

(27) PRACTICES OR ATTEMPTS TO PRACTICE A PERFUSION PROCEDURE OR USES OR ATTEMPTS TO USE PERFUSION EQUIPMENT IF THE APPLICANT OR LICENSEE HAS NOT RECEIVED EDUCATION AND TRAINING IN THE PERFORMANCE OF THE PROCEDURE OR THE USE OF THE EQUIPMENT; OR

(28) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION OF THE BOARD.

(B) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY ACTION UNDER SUBSECTION (A) OF THIS SECTION, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD IN ACCORDANCE WITH THE HEARING REQUIREMENTS OF § 14–405 OF THIS TITLE.

(C) (1) ON THE FILING OF CERTIFIED DOCKET ENTRIES WITH THE BOARD BY THE OFFICE OF THE ATTORNEY GENERAL, THE BOARD SHALL ORDER THE SUSPENSION OF A LICENSE IF THE LICENSEE IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.

(2) AFTER COMPLETION OF THE APPELLATE PROCESS IF THE CONVICTION HAS NOT BEEN REVERSED OR THE PLEA HAS NOT BEEN SET ASIDE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, THE BOARD SHALL ORDER THE REVOCATION OF A LICENSE ON THE CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL.

~~14–5E–18.~~ 14–5E–17.

(A) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD UNDER THIS SUBTITLE MAY NOT APPEAL TO THE SECRETARY OR BOARD OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

(2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF FINAL DECISIONS IN TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(B) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING REVIEW.

(C) THE BOARD MAY APPEAL FROM ANY DECISION THAT REVERSES OR MODIFIES ITS ORDER.

~~14–5E–19.~~ 14–5E–18.

(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS SECTION, HOSPITALS, RELATED INSTITUTIONS, ALTERNATIVE HEALTH SYSTEMS AS DEFINED IN § 1–401 OF THIS ARTICLE, AND EMPLOYERS SHALL FILE WITH THE BOARD A REPORT THAT THE HOSPITAL, RELATED INSTITUTION,

ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER LIMITED, REDUCED, OTHERWISE CHANGED, OR TERMINATED ANY LICENSED PERFUSIONIST FOR ANY REASON THAT MIGHT BE GROUNDS FOR DISCIPLINARY ACTION UNDER ~~§ 14–5E–17~~ § 14–5E–16 OF THIS SUBTITLE.

(B) A HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER THAT HAS REASON TO KNOW THAT A LICENSED PERFUSIONIST HAS COMMITTED AN ACT OR HAS A CONDITION THAT MIGHT BE GROUNDS FOR REPRIMAND OR PROBATION OF THE LICENSED PERFUSIONIST OR SUSPENSION OR REVOCATION OF THE LICENSE BECAUSE THE LICENSED PERFUSIONIST IS ALCOHOL–IMPAIRED OR DRUG–IMPAIRED IS NOT REQUIRED TO REPORT THE LICENSED PERFUSIONIST TO THE BOARD IF:

(1) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER KNOWS THAT THE LICENSED PERFUSIONIST IS:

(I) IN AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS OR IS CERTIFIED BY THE DEPARTMENT; OR

(II) UNDER THE CARE OF A HEALTH CARE PRACTITIONER WHO IS COMPETENT AND CAPABLE OF DEALING WITH ALCOHOLISM AND DRUG ABUSE; AND

(2) (I) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER IS ABLE TO VERIFY THAT THE LICENSED PERFUSIONIST REMAINS IN THE TREATMENT PROGRAM UNTIL DISCHARGE; AND

(II) THE ACTION OR CONDITION OF THE LICENSED PERFUSIONIST HAS NOT CAUSED INJURY TO ANY PERSON WHILE THE PERFUSIONIST IS PRACTICING AS A LICENSED PERFUSIONIST.

(C) (1) IF THE LICENSED PERFUSIONIST ENTERS, OR IS CONSIDERING ENTERING, AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS OR THAT IS CERTIFIED BY THE DEPARTMENT, THE LICENSED PERFUSIONIST SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED PERFUSIONIST'S DECISION TO ENTER THE TREATMENT PROGRAM.

(2) IF THE LICENSED PERFUSIONIST FAILS TO PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AND THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER LEARNS THAT THE LICENSED PERFUSIONIST HAS ENTERED A

TREATMENT PROGRAM, THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER SHALL REPORT TO THE BOARD THAT THE LICENSED PERFUSIONIST HAS ENTERED A TREATMENT PROGRAM AND HAS FAILED TO PROVIDE THE REQUIRED NOTICE.

(3) IF THE LICENSED PERFUSIONIST IS FOUND TO BE NONCOMPLIANT WITH THE TREATMENT PROGRAM'S POLICIES AND PROCEDURES WHILE IN THE TREATMENT PROGRAM, THE TREATMENT PROGRAM SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED PERFUSIONIST'S NONCOMPLIANCE.

(4) ON RECEIPT OF THE NOTIFICATION REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED PERFUSIONIST SHALL REPORT THE LICENSED PERFUSIONIST'S NONCOMPLIANCE TO THE BOARD.

(D) A PERSON IS NOT REQUIRED UNDER THIS SECTION TO MAKE ANY REPORT THAT WOULD BE IN VIOLATION OF ANY FEDERAL OR STATE LAW, RULE, OR REGULATION CONCERNING THE CONFIDENTIALITY OF ALCOHOL– AND DRUG ABUSE–RELATED PATIENT RECORDS.

(E) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER SHALL SUBMIT THE REPORT WITHIN 10 DAYS OF ANY ACTION DESCRIBED IN THIS SECTION.

(F) A REPORT MADE UNDER THIS SECTION IS NOT SUBJECT TO SUBPOENA OR DISCOVERY IN ANY CIVIL ACTION OTHER THAN A PROCEEDING ARISING OUT OF A HEARING AND DECISION OF THE BOARD UNDER THIS TITLE.

(G) (1) THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO $1,000 FOR FAILURE TO REPORT UNDER THIS SECTION.

(2) THE BOARD SHALL REMIT ANY PENALTY COLLECTED UNDER THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

~~14–5E–20.~~ 14–5E–19.

ON THE APPLICATION OF AN INDIVIDUAL WHOSE LICENSE HAS BEEN REVOKED, THE BOARD, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS FULL AUTHORIZED MEMBERSHIP, MAY REINSTATE A REVOKED LICENSE.

~~14–5E–21.~~ 14–5E–20.

EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE PERFUSION IN THIS STATE UNLESS LICENSED TO PRACTICE PERFUSION BY THE BOARD.

~~14–5E–22.~~ 14–5E–21.

(A) UNLESS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS SUBTITLE, A PERSON MAY NOT REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE PERSON IS AUTHORIZED TO PRACTICE PERFUSION IN THIS STATE.

(B) UNLESS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS SUBTITLE, A PERSON MAY NOT USE THE TITLES "CERTIFIED CLINICAL PERFUSIONIST", "LICENSED PERFUSIONIST", OR "LICENSED CLINICAL PERFUSIONIST", THE ABBREVIATIONS "C.C.P.", "L.P.", OR "L.C.P.", OR ANY OTHER WORDS, LETTERS, OR SYMBOLS WITH THE INTENT TO REPRESENT THAT THE PERSON PRACTICES PERFUSION, HOLDS A CERTIFICATE AS A CERTIFIED CLINICAL PERFUSIONIST ISSUED BY THE AMERICAN BOARD OF CARDIOVASCULAR PERFUSION OR ITS SUCCESSOR ENTITY, OR HOLDS A LICENSE AS A LICENSED PERFUSIONIST ISSUED BY THE BOARD.

~~14–5E–23.~~ 14–5E–22.

A PERSON MAY NOT PROVIDE, ATTEMPT TO PROVIDE, OFFER TO PROVIDE, OR REPRESENT THAT THE PERSON PROVIDES PERFUSION SERVICES UNLESS THE PERFUSION IS PROVIDED BY AN INDIVIDUAL WHO IS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS SUBTITLE.

~~14–5E–24.~~ 14–5E–23.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING $1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

(B) A PERSON WHO VIOLATES ~~§ 14–5E–21~~ § 14–5E–20 OF THIS SUBTITLE IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN $5,000 TO BE LEVIED BY THE BOARD.

(C) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SECTION INTO THE BOARD OF PHYSICIANS FUND.

~~14–5E–25.~~ 14–5E–24.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND PERFUSION ACT.

~~**14–5E–26.**~~ ***14–5E–25.***

SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE MARYLAND PROGRAM EVALUATION ACT AND SUBJECT TO THE TERMINATION OF THIS TITLE UNDER § 14–702 OF THIS TITLE, THIS SUBTITLE AND ALL REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, ~~2013~~ 2022.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(46) PERFUSION ADVISORY COMMITTEE (§ 14–5E–05 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, ~~2012~~ 2021);

~~SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~**Article – Health Occupations**~~

~~**14–5E–09.1.**~~

~~**THE BOARD SHALL WAIVE THE REQUIREMENTS FOR LICENSURE AS A LICENSED PERFUSIONIST UNDER § 14–5E–09 OF THIS SUBTITLE FOR ANY INDIVIDUAL WHO:**~~

~~**(1) FILES AN APPLICATION FOR LICENSURE AS A LICENSED PERFUSIONIST ON OR BEFORE MARCH 31, 2012;**~~

~~**(2) PAYS AN APPLICATION FEE SET BY THE BOARD; AND**~~

~~(3) HAS OPERATED A CARDIOPULMONARY BYPASS SYSTEM DURING CARDIAC SURGICAL CASES IN A LICENSED HEALTH CARE FACILITY AS THE INDIVIDUAL'S PRIMARY FUNCTION SINCE 2003.~~

SECTION ~~4.~~ 3. AND BE IT FURTHER ENACTED, That:

(a) (1) Notwithstanding the provisions of § 14–5E–06 of the Health Occupations Article, as enacted by Section 2 of this Act, each initial perfusionist member of the Perfusion Advisory Committee shall apply for and receive a license to practice perfusion within 90 days of the appointment of all initial members of the Perfusion Advisory Committee.

(2) If an initial perfusionist member of the Perfusion Advisory Committee fails to apply for and receive a license in accordance with paragraph (1) of this subsection:

(i) the term of the initial perfusionist member shall terminate immediately; and

(ii) the State Board of Physicians shall appoint a licensed perfusionist to serve the remainder of the term.

(b) The terms of the initial members of the Perfusion Advisory Committee shall expire as follows:

(1) ~~one member~~ two members in ~~2012~~ 2013;

(2) two members in ~~2013~~ 2014; and

(3) ~~two~~ three members in ~~2014~~ 2015.

SECTION ~~5.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, ~~2011~~ 2012. ~~Section 3 of this Act shall remain effective for a period of 1 year and, at the end of September 30, 2012, with no further action required by the General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.~~

Approved by the Governor, May 19, 2011.

Chapter 589

(House Bill 293)

AN ACT concerning

Weights and Measures – Registration Fees

FOR the purpose of prohibiting certain balances in the Weights and Measures Fund from reverting to the General Fund of the State; ~~requiring the Secretary of Agriculture to adopt regulations establishing certain registration fees for certain weights and measures; repealing certain registration fees for certain weights and measures; requiring the Secretary to adjust the fees under certain circumstances~~ *altering the cap on certain fees for registering certain scales and meters*; and generally relating to registration fees for weights and measures.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 11–204.6 and 11–204.7
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

11–204.6.

(a) (1) There is a "Weights and Measures Fund".

(2) All fees collected under §§ 11–204.3, 11–204.4, and 11–204.7 of this subtitle shall be credited to the Fund.

(3) The Fund shall be used to defray the expenses of administering this title.

(b) **(1)** The Fund shall be used for the purposes stated in this title **[**and unspent portions of the Fund shall revert to the General Fund of the State**]**.

(2) AT THE END OF A FISCAL YEAR, ANY UNSPENT OR UNENCUMBERED BALANCE IN THE FUND MAY NOT REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE WEIGHTS AND MEASURES FUND.

11–204.7.

~~(A)~~ **[**The fees for registering each weight and measure used for commercial purposes under this subtitle are as follows**]** ~~THE SECRETARY SHALL ESTABLISH BY REGULATION AN APPROPRIATE FEE TO DEFRAY THE COSTS OF ADMINISTERING THIS TITLE FOR EACH OF THE FOLLOWING WEIGHTS AND MEASURES~~:

(1) Scales with a capacity of up to 100 pounds [(maximum fee per business location: ~~$225~~ ***$325***) ..... $20];

(2) Scales with a capacity of more than 100 pounds, up to 2,000 pounds [..... $50];

(3) Scales with a capacity of more than 2,000 pounds[..... $75];

(4) Belt conveyor scales[..... $300];

(5) Railroad track scales[..... $300];

(6) Vehicle scales[..... $225];

(7) Grain moisture meter[..... $100];

(8) Retail motor fuel dispenser meter of under 20 gallons per minute [(maximum fee per business location: ~~$275~~ ***$375***) ..... $15];

(9) Retail motor fuel dispenser meter of 20 gallons per minute or more[..... ..... $35];

(10) Bulk petroleum fuel meter of 20 gallons per minute, up to 150 gallons per minute[..... $50];

(11) Bulk petroleum fuel meter of 150 gallons per minute or more [$85];

(12) Liquefied petroleum gas meters[..... $75]; and

(13) Point of sale system, as defined by the National Institute of Standards and Technology (NIST) Handbook 44, connected to a weighing or measuring device [(per business location) ..... $100].

~~**(B) IF THE FEE SCHEDULE ESTABLISHED BY THE SECRETARY EXCEEDS THE AMOUNT NECESSARY TO COVER THE COST OF INSPECTING AND TESTING ANY WEIGHT AND MEASURE REQUIRED TO BE REGISTERED UNDER THIS SUBTITLE, THE SECRETARY SHALL REDUCE THE FEE SCHEDULE ACCORDINGLY.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ *July* 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 590

(House Bill 306)

AN ACT concerning

Task Force on Solar Hot Water Systems in Prince George's County

FOR the purpose of reestablishing the Task Force on Solar Hot Water Systems in Prince George's County; providing for the members of the Task Force; providing for the designation of a chair of the Task Force; requiring the Prince George's County government to provide staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; providing that a member of the Task Force may receive reimbursement of certain expenses; requiring the Task Force to study certain matters and make certain findings and recommendations; requiring the Task Force to report its findings and recommendations to the Prince George's County Senators, the Prince George's County Delegation, the Prince George's County Council, the Prince George's County Executive, and certain committees of the General Assembly on or before a certain date; stating a certain intent of the General Assembly concerning technical assistance provided by the Maryland Energy Administration; stating a certain intent of the General Assembly concerning the selection of Task Force members; providing for the termination of this Act; and generally relating to the Task Force on Solar Hot Water Systems in Prince George's County.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force on Solar Hot Water Systems in Prince George's County to develop a business plan to achieve substantial use of solar hot water systems over a relatively short period of time in a way that saves money for Prince George's County residents and businesses and that reduces carbon emissions.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland who represents Prince George's County, appointed by the President of the Senate;

(2) one member of the House of Delegates who represents Prince George's County, appointed by the Speaker of the House;

(3) the Director of the Maryland Energy Administration, or the Director's designee;

(4) one member of the Prince George's County Council, appointed by the chair of the Council;

(5) the Prince George's County Executive, or the County Executive's designee; and

(6) one representative from the Maryland Clean Energy Center.

(c) The Task Force members shall designate the chair of the Task Force.

(d) The Prince George's County government shall provide staff for the Task Force.

(e) The Maryland Energy Administration may provide technical assistance.

(f) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Task Force shall:

(1) study and analyze the use of solar hot water systems in other states and countries to identify ways to support substantial use of solar hot water systems in Prince George's County;

(2) analyze current federal, state, and local incentives, and related existing and potential policy tools to support substantial use of solar hot water systems in Prince George's County;

(3) analyze policy, financial, market, and other obstacles to implementing solar hot water systems in Prince George's County and ways to overcome the obstacles;

(4) explore possibilities to use greenhouse gas markets or other market–based incentives to monetize emission reductions and thereby lower the cost of solar hot water systems;

(5) identify the best major markets for implementation of solar hot water systems, including:

(i) county buildings;

(ii) county schools;

(iii) hotels;

(iv) restaurants;

(v) churches;

(vi) commercial properties;

(vii) multifamily residential properties; and

(viii) single family residential properties; and

(6) develop a business plan to achieve substantial use of solar hot water systems in Prince George's County in a way that saves money for Prince George's County residents and businesses and that reduces carbon emissions.

(h) On or before December 31, 2011, the Task Force shall report its findings and recommendations to the Prince George's County Senators, the Prince George's County Delegation, the Prince George's County Council, and the Prince George's County Executive, and, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that any technical assistance provided by the Maryland Energy Administration under Section 1 of this Act shall be provided with the Maryland Energy Administration's existing resources.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, to the extent possible, the individuals appointed to the Task Force reestablished under this Act shall be the same individuals appointed to the Task Force on Solar Hot Water Systems in Prince George's County established under Chapter 649 of the Acts of the General Assembly of 2010.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011. It shall remain effective for a period of 7 months and, at the end of December 31, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 19, 2011.

Chapter 591

(House Bill 333)

AN ACT concerning

State Retirement and Pension System – Administration – Simplification

FOR the purpose of clarifying that certain employees of the Baltimore Metropolitan Council may participate in the State Employee and Retiree Health and Welfare Benefits Program; clarifying that the definition of "Social Security integration level" for purposes of calculating certain State Retirement and Pension System benefits only applies to certain members of the several systems who are eligible to receive certain benefits; clarifying that the State is required to pay a certain amount of the cost of special death benefits for members of the State Police Retirement System; clarifying that certain retirees of withdrawn participating governmental units of the State Retirement and Pension System are subject to a certain break in service before becoming reemployed by the same withdrawn participating governmental unit; clarifying that a certain death benefit may not be paid for certain members of the Law Enforcement Officers' Pension System if a certain other death benefit is also payable; and generally relating to simplifying the administration of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–511, 20–101(nn), 21–307(e), 22–406(d), 23–407(d), 25–403(h), 26–403(f), and 29–202
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

2–511.

(a) This section applies to employees of:

(1) the Maryland Environmental Service;

(2) the Northeast Maryland Waste Disposal Authority; and

(3) the Baltimore Metropolitan Council **[**who were employees of the Baltimore Regional Council of Governments on June 30, 1992**]**.

(b) Subject to the regulations adopted under § 2–503 of this subtitle, an employee or, while receiving an allowance under the Employees' Retirement System of the State of Maryland or the Employees' Pension System of the State of Maryland, an employee's surviving spouse:

(1) may enroll and participate in the health insurance or other benefit options established under the Program; and

(2) except as provided in subsection (d) of this section, is subject to the same terms and conditions as those provided under § 2–507 of this subtitle.

(c) While receiving an allowance under the Employees' Retirement System of the State of Maryland or the Employees' Pension System of the State of Maryland, a former employee or a former employee's surviving spouse or dependent child:

(1) may enroll and participate in the health insurance benefit options established under the Program; and

(2) except as provided in subsection (d) of this section, is subject to the same terms and conditions as those provided under § 2–508 of this subtitle, with the employee's service with the Maryland Environmental Service, Northeast Maryland Waste Disposal Authority, and the Baltimore Metropolitan Council being included as part of the employee's State service.

(d) For each participant under this section, the Maryland Environmental Service, the Northeast Maryland Waste Disposal Authority, and the Baltimore Metropolitan Council or any successor agency, shall pay to the State the respective employer share of the cost of the Program based on the State subsidy allowed under this subtitle.

20–101.

(nn) "Social Security integration level" means, with respect to the calendar year in which a member retires or otherwise separates from employment, the average yearly amount of earnings for which old age and survivors benefits would be provided under Title II of the federal Social Security Act for an employee **[**65 years old**]** **WHO IS ELIGIBLE TO RECEIVE FULL OLD AGE AND SURVIVORS BENEFITS PROVIDED UNDER TITLE II OF THE FEDERAL SOCIAL SECURITY ACT** in that calendar year that is:

(1) computed as though for each previous year yearly earnings are at least equal to the maximum amount of yearly earnings subject to tax under the Federal Insurance Contributions Act; and

(2) rounded to the next lower multiple of $100.

21–307.

(e) (1) For a member of the State Police Retirement System, the State shall pay the **FULL** cost of special death benefits under **[**§ 29–204(a)(2)(i)2**]** **§ 29–204** of this article**[**, including the normal contribution rate and the accrued liability rate, up to the current contribution rate for employers for federal old age, survivors, and disability insurance.

(2) Except as provided in paragraph (3) of this subsection, the members shall pay the cost of the special death benefits that exceeds the current rate for federal old age, survivors, and disability insurance.

(3) The State shall pay the full costs of each special death benefit applicable to each member whose death arises out of or in the course of actual performance of duty**]**.

22–406.

(d) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

23–407.

(d) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

25–403.

(h) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

26–403.

(f) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

29–202.

(a) (1) When the Board of Trustees receives proof of death of an individual who died while employed as a member, the Board of Trustees shall pay to the designated beneficiary or, if there is no designated beneficiary, to the member's estate the amounts specified in this subsection.

(2) Subject to paragraph (1) of this subsection, the Board of Trustees shall pay the member's accumulated contributions.

(3) Subject to paragraph (1) of this subsection, the Board of Trustees shall pay an amount equal to the member's annual earnable compensation at death if the member dies in the course of the performance of duty or the member has at least 1 year of eligibility service.

(b) (1) A death benefit under this section may not be paid for the death of a member of the State Police Retirement System if a special death benefit under § 29–204 of this subtitle is payable or has been paid for that death.

(2) A death benefit under this section may not be paid for the death of a member of the Correctional Officers' Retirement System if a special death benefit under § 29–204.1 of this subtitle is payable or has been paid for that death.

(3) A death benefit under this section may not be paid for the death of a member of the Employees' Retirement System, Employees' Pension System, Teachers' Retirement System, or Teachers' Pension System if a special death benefit under § 29–204.2 of this subtitle is payable or has been paid for that death.

(4) A DEATH BENEFIT UNDER THIS SECTION MAY NOT BE PAID FOR THE DEATH OF A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IF A SPECIAL DEATH BENEFIT UNDER § 29–203 OF THIS SUBTITLE IS PAYABLE OR HAS BEEN PAID FOR THAT DEATH.

(c) The Board of Trustees may provide the death benefit as group life insurance if the Board of Trustees finds that the designated beneficiaries would receive a more favorable tax treatment of the death benefit.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 592

(House Bill 405)

AN ACT concerning

Washington County – Alcoholic Beverages – Criminal History Records

FOR the purpose of requiring the Board of License Commissioners of Washington County to ~~obtain certain criminal records of an applicant~~ apply to the Criminal Justice Information System Central Repository for a state and national criminal history records check for each applicant for a new alcoholic beverages license or for a transfer of an existing license; requiring the Board to submit fingerprints of each applicant and certain fees to the Central Repository; requiring the Central Repository to forward certain information to the applicant and the Board; requiring the board to establish a fee to cover certain costs of obtaining an applicant's criminal records; providing that ~~criminal records obtained~~ certain information obtained from the Central Repository under this Act ~~are~~ is confidential, may be used only for licensing purposes, shall be kept in sealed envelopes and made available only to certain persons, and shall be destroyed on completion of their use; providing that the failure of the Federal Bureau of Investigation to provide requested criminal records by a certain date may not delay an applicant's scheduled hearing or the issuance of a license; authorizing an applicant to contest the contents of a certain written statement; requiring the board to adopt regulations to implement this Act and preserve the

confidentiality of information obtained under this Act; defining certain terms; and generally relating to alcoholic beverages licenses in Washington County.

BY adding to
Article 2B – Alcoholic Beverages
Section 10–103(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

10–103.

(E) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "APPLICANT" MEANS AN APPLICANT FOR A NEW ALCOHOLIC BEVERAGES LICENSE OR FOR A TRANSFER OF AN EXISTING ALCOHOLIC BEVERAGES LICENSE.

(III) "BOARD" MEANS THE BOARD OF LICENSE COMMISSIONERS OF WASHINGTON COUNTY.

(IV) "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(2) THIS SUBSECTION APPLIES ONLY IN WASHINGTON COUNTY.

~~**(3) FOR EACH APPLICANT, THE BOARD SHALL:**~~

~~**(I) OBTAIN CRIMINAL RECORDS OF THE APPLICANT FROM THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;**~~

~~**(II) REQUIRE THE APPLICANT TO SUBMIT THE APPLICANT'S FINGERPRINTS; AND**~~

~~**(III) FORWARD THE FINGERPRINTS THROUGH THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY FOR TRANSMITTAL TO THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.**~~

(3) (I) THE BOARD SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR EACH APPLICANT.

(II) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE BOARD SHALL SUBMIT TO THE CENTRAL REPOSITORY:

1. TWO COMPLETE SETS OF THE APPLICANT'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

2. THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

3. THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(III) IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE APPLICANT AND THE BOARD THE APPLICANT'S CRIMINAL HISTORY RECORD INFORMATION.

(4) THE BOARD SHALL ESTABLISH A FEE TO COVER THE COST OF OBTAINING:

(I) THE APPLICANT'S FINGERPRINTS; AND

(II) THE STATE AND NATIONAL CRIMINAL RECORDS.

(5) ~~CRIMINAL RECORDS OBTAINED~~ INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SUBSECTION:

(I) ~~ARE~~ IS CONFIDENTIAL AND MAY NOT BE ~~DISSEMINATED TO THE PUBLIC~~ REDISSEMINATED;

(II) MAY BE USED ONLY FOR LICENSING PURPOSES;

(III) SHALL BE KEPT IN SEALED ENVELOPES AVAILABLE ONLY TO BOARD MEMBERS, INSPECTORS, ADMINISTRATORS, AND DESIGNEES OF THE BOARD; AND

(IV) SHALL BE DESTROYED ON COMPLETION OF THEIR NECESSARY USE.

(6) A HEARING FOR AN APPLICANT AND THE ISSUANCE OF A LICENSE MAY NOT BE DELAYED DUE TO THE FAILURE OF THE FEDERAL BUREAU OF INVESTIGATION TO PROVIDE THE REQUESTED CRIMINAL RECORDS BY THE DATE OF THE SCHEDULED HEARING.

(7) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SUBSECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY UNDER § 10–223 OF THE CRIMINAL PROCEDURE ARTICLE.

(8) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION AND PRESERVE THE CONFIDENTIALITY OF THE INFORMATION OBTAINED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 593

(House Bill 463)

AN ACT concerning

Property Tax – Semiannual Payment Schedule – Business Property

FOR the purpose of ~~repealing a requirement that a small business may not have property taxes for the taxable year in excess of a certain amount to be eligible~~ *altering a certain definition to increase the maximum total amount of property taxes for certain property for purposes of determining eligibility* for a semiannual payment schedule for State, county, municipal corporation, and special taxing district property taxes; providing for the application of this Act; and generally relating to a semiannual property tax payment schedule for business property.

BY repealing and reenacting, with amendments,
Article – Tax – Property

Section 10–204.3
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – Property

10–204.3.

(a) (1) In this section the following words have the meanings indicated.

(2) "Owner–occupied residential property" means the principal residence of a homeowner as defined in § 9–105 of this article.

(3) **[**"Small business**] "BUSINESS** property" means real property~~[~~:

(i)~~]~~ that has been assigned a commercial use code by the Department~~[~~; and

(ii) for which the total State, county, municipal corporation, and special taxing district property taxes for the taxable year do not exceed ~~$50,000~~**]** ***$100,000***.

(b) Notwithstanding Subtitle 1 of this title:

(1) the governing body of a county shall provide a semiannual payment schedule for State, county, and special taxing district property taxes due on owner–occupied residential property or **[**small**]** business property; and

(2) the governing body of a municipal corporation shall provide a semiannual payment schedule for municipal corporation and special taxing district property taxes due on owner–occupied residential property or **[**small**]** business property.

(c) A semiannual payment schedule under this section shall apply:

(1) at the time of the transfer of property purchased on or after July 1, 2000; and

(2) to any current or future owner of owner–occupied residential property or **[**small**]** business property, regardless of whether the property was purchased before July 1, 2000.

(d) (1) The semiannual payment schedule under this section shall apply to:

(i) the property tax due for the tax year following transfer of the property; and

(ii) the property tax due and not in arrears for the current tax year for any transfer occurring on or after July 1 but on or before September 30.

(2) The first installment of a semiannual payment shall be paid on or before September 30.

(e) A semiannual payment schedule may include a service charge to be paid with the second installment.

(f) A service charge:

(1) shall be:

(i) adopted by the taxing authority that collects the property taxes after obtaining the prior approval of the amount of the service charge from the Department, as part of adoption of the property tax rate under §§ 6–301 through 6–303 of this article;

(ii) applicable to all property tax being collected by the taxing authority on the semiannual payment schedule for itself and for any other taxing authority;

(iii) expressed as a percent of the amount of tax due at the second installment and shown on the tax bill as a percent and actual dollar amount charged; and

(iv) calculated in an amount:

1. reasonably equivalent to the anticipated lost interest income associated with the 3–month delay in payment of the second installment by multiplying the amount of the second installment by a rate not exceeding 1.5%; and

2. covering administrative expenses associated with the semiannual payment not exceeding the lesser of the actual expenses incurred in the preceding fiscal year per semiannual tax account as approved by the State Department of Assessments and Taxation or 10% of the charge for the anticipated lost interest income as calculated in item 1 of this item;

(2) does not apply if both installments of property tax are paid on or before September 30 of the taxable year; and

(3) may not be considered to be a property tax for the purposes of any provision of a local law or charter that limits the property tax rate or property tax revenues.

(g) The local taxing authority shall provide to the Department by May 1 of each year, information that substantiates that the proposed service charge for the anticipated lost interest is reasonably equivalent to the amount of interest that will be lost as a result of the semiannual payment.

(h) (1) The property tax bill under a semiannual payment schedule:

(i) shall state:

1. the amount of the tax due if paid in full, including any applicable discounts for early payment;

2. the amount of the tax due if paid in semiannual installments, including any applicable discounts for early payment of the first installment;

3. the amount of any service charge to be paid with the second installment unless the second installment is paid on or before September 30 of the taxable year;

4. that the service charge does not apply if both installments are paid on or before September 30 of the taxable year; and

5. the date the tax payment is due; and

(ii) shall be subject to approval by the Department of Assessments and Taxation.

(2) The Department shall approve any local semiannual payment schedule collection that:

(i) provides efficient and cost–effective collection of taxes; and

(ii) provides two semiannual coupons, two semiannual billing forms, or a similar method that allows taxpayers to pay on a semiannual basis.

(3) Local semiannual payment schedule collection systems that are not approved by the Department shall utilize 2 semiannual payment coupons that shall be submitted with the appropriate payment.

(i) A payment under a semiannual schedule:

(1) for the first installment:

(i) is due on July 1 of the tax year; and

(ii) may be paid without interest on or before September 30 of the tax year; and

(2) for the second installment:

(i) is due on December 1 of the tax year;

(ii) except for the service charge, may be paid without interest on or before December 31 of the tax year; and

(iii) may be prepaid without the service charge or interest on or before September 30 of the tax year.

(j) (1) If an escrow account is established for the payment of the property tax, the escrow account servicer shall pay tax in semiannual installments unless the escrow account servicer has received written direction from the property owner or borrower to pay property tax in annual payments.

(2) If a taxpayer provides written direction to an escrow account servicer at least 60 days prior to the beginning of the tax year, property taxes shall be paid on an annual payment basis on behalf of that taxpayer by the escrow account servicer in the tax year that begins immediately following the year in which the written direction was received.

(3) If a taxpayer provides written direction to an escrow account servicer less than 60 days prior to the beginning of the tax year, property taxes may be paid on an annual payment basis on behalf of that taxpayer by the escrow account servicer in the tax year that begins immediately following the year in which the written direction was received.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011, and shall be applicable to all taxable years beginning after June 30, 2012.

Approved by the Governor, May 19, 2011.

Chapter 594

(House Bill 477)

AN ACT concerning

Carroll County – Commissioners – Term Limits and Vacancies

FOR the purpose of stating that the term of office for a County Commissioner on the Board of County Commissioners for Carroll County is a certain number of years; establishing a certain restriction on the number of terms that a County Commissioner for Carroll County may be elected to serve in office; providing for the appointment to fill a vacancy on the Board of County Commissioners; and generally relating to the Board of County Commissioners for Carroll County.

BY adding to
The Public Local Laws of Carroll County
Section 3–101(f)
Article 7 – Public Local Laws of Maryland
(2004 Edition and July 1, 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 7 – Carroll County

3–101.

(F) (1) THE TERM OF A COUNTY COMMISSIONER IS 4 YEARS.

(2) A COUNTY COMMISSIONER MAY NOT BE ELECTED TO SERVE MORE THAN TWO CONSECUTIVE TERMS.

(3) AN INDIVIDUAL WHO IS APPOINTED TO FILL A VACANCY ON THE BOARD OF COUNTY COMMISSIONERS AFTER A TERM HAS BEGUN SHALL:

(I) AT THE TIME OF APPOINTMENT AND WHILE FILLING OUT THE UNEXPIRED TERM, RESIDE IN THE COMMISSIONER DISTRICT AS THAT OF THE COMMISSIONER WHOSE SEAT IS VACATED; AND

(II) SERVE ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 595

(House Bill 482)

AN ACT concerning

Consumer Protection – Information on Payment Device Receipts – Limitations

FOR the purpose of altering the number of digits of a payment device number that may be printed on certain receipts by a person that accepts a payment device number for the transaction of business; prohibiting a person that accepts a payment device number for the transaction of business from printing more than a certain number of digits of a payment device number or the expiration date of a payment device on a receipt that is provided to the holder of the payment device at the point of sale or transaction or retained by the person; establishing a certain penalty; altering a certain definition; making certain stylistic and clarifying changes; providing for a delayed effective date; and generally relating to information printed on payment device receipts.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1318
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Commercial Law

14–1318.

(a) **(1)** In this section, "payment device number" means any code, account number, or other means of account access, other than a check, draft, or similar paper instrument, that can be used to obtain money, goods, services, or anything of value, or for purposes of initiating a transfer of funds.

(2) "PAYMENT DEVICE NUMBER" INCLUDES A CREDIT CARD NUMBER AND A DEBIT CARD NUMBER.

(b) (1) This section applies only to receipts that are electronically printed in connection with the purchase of consumer goods or consumer services.

(2) This section does not apply to receipts where the sole means of recording the **[**credit card number or**]** payment device number is by handwriting, imprinting, or copying the **[**credit card or**]** payment device.

(c) A person that accepts a **[**credit card number or other**]** payment device number for the transaction of business may not print more than **[**eight**] FIVE** digits of the **[**credit card number or other**]** payment device number **OR THE EXPIRATION DATE OF THE PAYMENT DEVICE** on a receipt **THAT IS** provided to the holder of the **[**credit card or**]** payment device **AT THE POINT OF SALE OR TRANSACTION OR RETAINED BY THE PERSON**.

(d) (1) The Attorney General may initiate a civil action against a person **[**who**] THAT** violates this section to recover for the State a civil penalty not exceeding $25 for each violation.

(2) For the purposes of this section, each instance in which a **[**credit card number**] PAYMENT DEVICE NUMBER OR EXPIRATION DATE** is printed when prohibited by this section is a separate violation.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 2011~~ January 1, 2013.

Approved by the Governor, May 19, 2011.

Chapter 596

(House Bill 621)

AN ACT concerning

Fire Safety – High–Rise Buildings – Mobility Impaired Individuals

FOR the purpose of requiring the owner of a residential high–rise building with rental units to provide a certain *annual* notice to ~~individuals who are mobility impaired~~ *all residents of the residential high–rise building* of the right *of mobility impaired individuals* to request certain rental units when certain units in the building become available; defining ~~certain terms~~ *a certain term*; and generally relating to fire safety in high–rise buildings.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 9–401
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY adding to
Article – Public Safety
Section 9–405
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Safety

9–401.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) "High–rise building" means a building for human occupancy that is:

(i) four or more stories above grade level; or

(ii) over 45 feet in height.

(2) "High–rise building" does not include:

(i) a structure or building used exclusively for open air parking; or

(ii) a building used exclusively for agricultural purposes.

(c) "Local fire department" means a career or volunteer fire department.

(d) **"MOBILITY IMPAIRED" MEANS UNABLE TO CARRY OBJECTS OR TO MOVE OR TRAVEL WITHOUT THE USE OF AN ASSISTIVE DEVICE OR SERVICE ANIMAL.**

(E) "Public way" means a paved thoroughfare over 21 feet in width that:

(1) is located on privately owned and privately maintained property but is designated for public use; or

(2) is publicly owned and publicly maintained.

9–405.

~~FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH–RISE BUILDING WITH RENTAL UNITS SHALL PROVIDE REASONABLE WRITTEN NOTICE TO A RESIDENT WHO IS MOBILITY IMPAIRED OF THE RESIDENT'S RIGHT TO REQUEST A RENTAL UNIT ON THE FIRST FIVE FLOORS OF THE HIGH–RISE BUILDING IF ONE SHOULD BECOME AVAILABLE.~~

FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH–RISE BUILDING WITH RENTAL UNITS SHALL PROVIDE REASONABLE WRITTEN NOTICE ANNUALLY TO ALL RESIDENTS OF THE RESIDENTIAL HIGH–RISE BUILDING TO INFORM RESIDENTS WHO ARE MOBILITY IMPAIRED OF THEIR RIGHT TO REQUEST A RENTAL UNIT ON THE FIRST FIVE FLOORS OF THE HIGH–RISE BUILDING IF ONE SHOULD BECOME AVAILABLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 597

(House Bill 637)

AN ACT concerning

Limited Liability Company Act

FOR the purpose of establishing the policy of certain provisions of law relating to limited liability companies; providing that a certain provision of law that may be changed by the terms of an operating agreement may also be changed by the terms of the articles of organization of a limited liability company; providing that a certain certificate representing the interest of a member of a limited liability company may ~~only~~ be issued in bearer form only under certain circumstances; authorizing an operating agreement to require that an amendment to the agreement be approved by a certain person or on satisfaction of certain conditions; authorizing an operating agreement to establish the rights of certain persons; providing that, if an operating agreement provides the manner in which the agreement may be amended, then the agreement may be amended only in that manner; providing that a certain approval or condition for amending an operating agreement may be waived in certain circumstances; establishing that an amendment to an operating agreement is not required to be in writing, with certain exceptions; clarifying that an operating agreement is not unenforceable on the ground that there is only one party to the agreement; establishing that a limited liability company is not required to execute its operating agreement and is bound by the operating agreement regardless of

whether the company has executed the agreement; establishing that each member and assignee of a member is bound by the operating agreement of a limited liability company regardless of whether the member or assignee executed the operating agreement; authorizing an operating agreement to provide that an action that otherwise requires unanimous consent may be taken without the consent of a member or members of the limited liability company; providing that an operating agreement may require the consent of certain persons who are not members of the limited liability company to take an action requiring unanimous consent of the members; ~~authorizing an operating agreement to expand, restrict, or eliminate certain duties; providing that, unless otherwise provided in an operating agreement, certain persons are not liable for breach of fiduciary duty for good faith reliance on the operating agreement; authorizing an operating agreement to provide for the limitation or elimination of certain liabilities;~~ providing that a person may become a member of a limited liability company in accordance with a provision of law that authorizes the personal representative, successor, or assignee of the last remaining member to admit the person as a member of the limited liability company; clarifying that the admission of an assignee as a member of a limited liability company is governed by certain provisions of law relating to assignments; providing that the admission of a certain personal representative or successor is governed by a certain provision of law; providing that, unless otherwise provided in the operating agreement, an assignment of the interest of a person in a limited liability company entitles the assignee only to the assignor's share of profits, losses, and distributions; providing that, unless otherwise provided in the operating agreement, a member of a limited liability company ceases to be a member on assignment of all of the member's interest; providing that, unless otherwise provided in the operating agreement, a certain encumbrance in or against the interest of a member of a limited liability company does not cause the member to cease being a member or to have the power to exercise certain rights; altering the circumstances under which an assignee may become a member of a limited liability company; authorizing a certain creditor of a certain debtor holding an interest in a limited liability company to apply to a court for a certain order; authorizing a court to take certain actions on the application of a certain creditor in certain circumstances; authorizing, before a certain foreclosure, a certain interest to be redeemed with certain property; providing that this Act does not deprive a debtor of a certain right; providing that this Act provides the exclusive remedy by which a certain person may attach the interest or otherwise affect the rights of a member of a limited liability company; altering the circumstances under which a limited liability company may not be dissolved or required to wind up its affairs after the occurrence of certain conditions; making certain technical, stylistic, and clarifying changes; defining certain terms; and generally relating to limited liability companies.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 4A–101(a)

Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 4A–101(g), 4A–402, 4A–404, 4A–601, 4A–603, 4A–604, and 4A–902
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY adding to
Article – Corporations and Associations
Section 4A–102~~, 4A–402.1,~~ and 4A–607
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing
Article – Corporations and Associations
Section 4A–607
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Corporations and Associations

4A–101.

(a) In this title the following terms have the meanings indicated.

(g) "Corporation" means a Maryland corporation or a foreign corporation **[**as defined in § 1–101 of this article**]**.

4A–102.

(A) UNLESS OTHERWISE PROVIDED, THE POLICY OF THIS TITLE IS TO GIVE THE MAXIMUM EFFECT TO THE PRINCIPLES OF FREEDOM OF CONTRACT AND TO THE ENFORCEABILITY OF OPERATING AGREEMENTS.

(B) A PROVISION OF THIS TITLE THAT MAY BE CHANGED BY THE TERMS OF AN OPERATING AGREEMENT ALSO MAY BE CHANGED BY THE TERMS OF THE ARTICLES OF ORGANIZATION.

4A–402.

(a) Except for the requirement set forth in § 4A–404 of this subtitle that certain consents be in writing, members may enter into an operating agreement to regulate or establish any aspect of the affairs of the limited liability company or the relations of its members, including provisions establishing:

(1) The manner in which the business and affairs of the limited liability company shall be managed, controlled, and operated, which may include the granting of exclusive authority to manage, control, and operate the limited liability company to persons who are not members;

(2) The manner in which the members will share the assets and earnings of the limited liability company;

(3) The rights of the members to assign all or a portion of their interests in the limited liability company;

(4) The circumstances in which any assignee of a member's interest may be admitted as a member of the limited liability company;

(5) (i) The right to have and a procedure for having a member's interest in the limited liability company evidenced by a certificate issued by the limited liability company**, WHICH MAY BE ISSUED ~~ONLY~~ IN BEARER FORM ONLY IF SPECIFICALLY ALLOWED BY THE OPERATING AGREEMENT**;

(ii) The procedure for assignment, pledge, or transfer of any interest represented by the certificate; and

(iii) Any other provisions dealing with the certificate; **[**and**]**

(6) The method by which the operating agreement may from time to time be amended**, WHICH MAY INCLUDE A REQUIREMENT THAT AN AMENDMENT BE APPROVED:**

(I) BY A PERSON WHO IS NOT A PARTY TO THE OPERATING AGREEMENT OR WHO IS NOT A MEMBER OF THE LIMITED LIABILITY COMPANY; OR

(II) ON THE SATISFACTION OF OTHER CONDITIONS SPECIFIED IN THE OPERATING AGREEMENT; AND

(7) THE RIGHTS OF ANY PERSON, INCLUDING A PERSON WHO IS NOT A PARTY TO THE OPERATING AGREEMENT OR WHO IS NOT A MEMBER OF THE LIMITED LIABILITY COMPANY, TO THE EXTENT SET FORTH IN THE OPERATING AGREEMENT.

(b) (1) **[**(i)**]** The initial operating agreement shall be agreed to by all persons who are then members.

[(ii)**] (2)** Unless the articles of organization specifically require otherwise, the operating agreement need not be in writing.

[(2)**] (C) (1)** If the operating agreement does not provide for the method by which the operating agreement may be amended, then all of the members must agree to any amendment of the operating agreement.

(2) TO THE EXTENT THAT AN OPERATING AGREEMENT PROVIDES FOR THE MANNER IN WHICH THE OPERATING AGREEMENT MAY BE AMENDED, THE OPERATING AGREEMENT MAY BE AMENDED ONLY IN THAT MANNER, PROVIDED THAT THE APPROVAL OF A PERSON MAY BE WAIVED BY THE PERSON AND THAT CONDITIONS MAY BE WAIVED BY A PERSON FOR WHOSE BENEFIT THE CONDITIONS WERE INTENDED.

(3) **(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, OR UNLESS THE OPERATING AGREEMENT SPECIFICALLY REQUIRES OTHERWISE, AN AMENDMENT TO AN OPERATING AGREEMENT IS NOT REQUIRED TO BE IN WRITING.**

(II) An amendment to an operating agreement must be evidenced by a writing signed by an authorized person **OF THE LIMITED LIABILITY COMPANY** if:

[(i)**] 1.** The amendment was adopted without the unanimous consent of **THE** members; or

[(ii)**] 2.** An interest in the limited liability company has been assigned to a person who has not been admitted as a member.

(4) A copy of any written amendment to the operating agreement shall be delivered to each member who did not consent to the amendment and to each assignee who has not been admitted as a member.

[(c)**] (D)** (1) A court may enforce an operating agreement by injunction or by granting such other relief which the court in its discretion determines to be fair and appropriate in the circumstances.

(2) As an alternative to injunctive or other equitable relief, when the provisions of § 4A–903 of this title are applicable, the court may order dissolution of the limited liability company.

(3) AN OPERATING AGREEMENT OF A LIMITED LIABILITY COMPANY WITH ONE MEMBER IS NOT UNENFORCEABLE ON THE GROUNDS THAT THERE IS ONLY ONE PERSON WHO IS PARTY TO THE OPERATING AGREEMENT.

(4) A LIMITED LIABILITY COMPANY:

(I) IS NOT REQUIRED TO EXECUTE ITS OPERATING AGREEMENT; AND

(II) IS BOUND BY ITS OPERATING AGREEMENT, REGARDLESS OF WHETHER THE LIMITED LIABILITY COMPANY HAS EXECUTED THE OPERATING AGREEMENT.

(5) AN OPERATING AGREEMENT THAT IS DULY ADOPTED OR AMENDED IS BINDING ON EACH PERSON WHO IS OR BECOMES A MEMBER OF THE LIMITED LIABILITY COMPANY AND EACH PERSON WHO IS OR BECOMES AN ASSIGNEE OF A MEMBER OF THE LIMITED LIABILITY COMPANY, REGARDLESS OF WHETHER THE PERSON HAS EXECUTED THE OPERATING AGREEMENT OR AMENDMENT.

~~**4A–402.1.**~~

~~**(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, TO THE EXTENT THAT, AT LAW OR IN EQUITY, A MEMBER OR ANOTHER PERSON HAS DUTIES, INCLUDING FIDUCIARY DUTIES, TO A LIMITED LIABILITY COMPANY, ANOTHER MEMBER, OR ANOTHER PERSON THAT IS A PARTY TO OR IS OTHERWISE BOUND BY AN OPERATING AGREEMENT, THE MEMBER'S OR OTHER PERSON'S DUTIES MAY BE EXPANDED, RESTRICTED, OR ELIMINATED BY PROVISIONS IN THE OPERATING AGREEMENT.**~~

~~**(2) AN OPERATING AGREEMENT MAY NOT ELIMINATE THE IMPLIED CONTRACTUAL COVENANT OF GOOD FAITH AND FAIR DEALING.**~~

~~**(B) UNLESS OTHERWISE PROVIDED IN AN OPERATING AGREEMENT, A MEMBER OR ANOTHER PERSON IS NOT LIABLE TO A LIMITED LIABILITY COMPANY, ANOTHER MEMBER, OR ANOTHER PERSON THAT IS A PARTY TO OR IS OTHERWISE BOUND BY AN OPERATING AGREEMENT FOR BREACH OF FIDUCIARY DUTY FOR THE MEMBER'S OR OTHER PERSON'S GOOD FAITH RELIANCE ON THE PROVISIONS OF THE OPERATING AGREEMENT.**~~

~~**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN OPERATING AGREEMENT MAY PROVIDE FOR THE LIMITATION OR ELIMINATION OF ANY AND ALL LIABILITIES FOR BREACH OF CONTRACT AND BREACH OF DUTIES, INCLUDING FIDUCIARY DUTIES, OF A MEMBER OR ANOTHER**~~

~~**PERSON TO A LIMITED LIABILITY COMPANY, ANOTHER MEMBER, OR ANOTHER PERSON THAT IS A PARTY TO OR IS OTHERWISE BOUND BY AN OPERATING AGREEMENT.**~~

~~**(2) AN OPERATING AGREEMENT MAY NOT LIMIT OR ELIMINATE LIABILITY FOR ANY ACT OR OMISSION THAT CONSTITUTES A BAD FAITH VIOLATION OF THE IMPLIED CONTRACTUAL COVENANT OF GOOD FAITH AND FAIR DEALING.**~~

4A–404.

Wherever this title requires the unanimous consent of **THE** members to allow the limited liability company to act:

(1) The consent shall be in writing; and

(2) The operating agreement may provide that **[**the**]:**

(I) 1. THE action may be taken on consent of less than all of the members **[**or that the**];**

2. THE consent of certain members or classes of members is not required to take the action**; OR**

3. NO CONSENT OF A MEMBER OR MEMBERS IS REQUIRED TO TAKE THE ACTION; AND

(II) THE ACTION MAY BE TAKEN ONLY WITH THE CONSENT OF ONE OR MORE PERSONS WHO IS OR ARE NOT A MEMBER OR MEMBERS OF THE LIMITED LIABILITY COMPANY, IN WHICH CASE THE CONSENT OF THAT PERSON OR THOSE PERSONS SHALL BE REQUIRED IN ORDER FOR THE LIMITED LIABILITY COMPANY TO TAKE THE ACTION.

4A–601.

(a) A person becomes a member of a limited liability company **AT**:

(1) **[**At the**] THE** time the limited liability company is formed; **[**or**]**

(2) **[**At any**] A** later time specified in the operating agreement**; OR**

(3) THE TIME SPECIFIED IN § 4A–902(B)(1) OF THIS TITLE.

(b) After the formation of a limited liability company, a person may be admitted as a member:

(1) In the case of a person acquiring a membership interest directly from the limited liability company, upon compliance with the operating agreement or, if the operating agreement does not so provide, upon the unanimous consent of the members; **[**or**]**

(2) In the case of an assignee of an interest of a member **[**who has the power**], ONLY** as provided in § 4A–604 of this subtitle **[**to grant the assignee the right to become a member, upon the exercise of that power and compliance with any conditions limiting the grant or exercise of that power**]; OR**

(3) IN THE CASE OF A PERSONAL REPRESENTATIVE OR SUCCESSOR TO THE LAST REMAINING MEMBER WHO IS NOT AN ASSIGNEE OF THE LAST REMAINING MEMBER, AS PROVIDED IN § 4A–902(B)(1) OF THIS TITLE.

(c) Unless otherwise provided in the articles of organization or the operating agreement of a limited liability company, a person may be admitted as a member of a limited liability company and may be the sole member of a limited liability company without:

(1) Making a contribution to the limited liability company;

(2) Being obligated to make a contribution to the limited liability company; or

(3) Acquiring an interest in the limited liability company.

4A–603.

(a) Unless otherwise provided in the operating agreement, an interest in a limited liability company is assignable in whole or in part.

(b) An assignment of an interest in a limited liability company does not:

(1) Dissolve the limited liability company; or

(2) Unless the operating agreement provides otherwise, entitle the assignee to:

(i) Become a member; or

(ii) Exercise any rights of a member.

(c) Unless otherwise provided in the operating agreement, an assignment entitles the assignee to receive, to the extent assigned, only the **ASSIGNOR'S SHARE OF PROFITS, LOSSES, AND** distributions **[**to which the assignor would be entitled**]**.

(D) UNLESS OTHERWISE PROVIDED IN THE OPERATING AGREEMENT, IF AN ASSIGNEE OF AN INTEREST IN A LIMITED LIABILITY COMPANY BECOMES A MEMBER OF THE LIMITED LIABILITY COMPANY, THE ASSIGNOR IS NOT RELEASED FROM THE ASSIGNOR'S LIABILITY UNDER § 4A–502 OF THIS TITLE TO THE LIMITED LIABILITY COMPANY.

(E) UNLESS OTHERWISE PROVIDED IN THE OPERATING AGREEMENT, ON ASSIGNMENT UNDER THIS SECTION OF ALL OF A MEMBER'S INTEREST IN A LIMITED LIABILITY COMPANY, THE MEMBER CEASES TO BE A MEMBER OF THE LIMITED LIABILITY COMPANY AND TO HAVE THE POWER TO EXERCISE ANY RIGHT OR POWER OF A MEMBER.

(F) UNLESS OTHERWISE PROVIDED IN THE OPERATING AGREEMENT, THE PLEDGE OR GRANT OF A SECURITY INTEREST, LIEN, OR OTHER ENCUMBRANCE IN OR AGAINST ALL OR A PART OF AN INTEREST OF A MEMBER MAY NOT CAUSE THE MEMBER TO CEASE TO BE A MEMBER OR TO HAVE THE POWER TO EXERCISE ANY RIGHT OR POWER OF A MEMBER.

4A–604.

(a) An assignee of an interest in a limited liability company may become a member **[**if and to the extent that**] OF THE LIMITED LIABILITY COMPANY UNDER ANY OF THE FOLLOWING CIRCUMSTANCES**:

(1) **[**The assignor gives the assignee that right under authority described in the operating agreement**] IN ACCORDANCE WITH THE TERMS OF THE OPERATING AGREEMENT PROVIDING FOR THE ADMISSION OF A MEMBER**;

(2) **[**The members unanimously**] BY THE UNANIMOUS** consent **OF THE MEMBERS**; or

(3) **[**Except as otherwise provided in the operating agreement, if the limited liability company has no members, all of the assignees of members may elect to become members**] IF THERE ARE NO REMAINING MEMBERS OF THE LIMITED LIABILITY COMPANY AT THE TIME THE ASSIGNEE OBTAINS THE INTEREST, ON TERMS THAT THE ASSIGNEE MAY DETERMINE IN ACCORDANCE WITH § 4A–902(B)(1) OF THIS TITLE**.

(b) An assignee who becomes a member:

(1) Has, to the extent assigned, the rights and powers, and is subject to the restrictions and liabilities, of a member under the operating agreement and this title; and

(2) Is liable for any obligations of his assignor to make capital contributions.

[(c) If an assignee of an interest in a limited liability company becomes a member, the assignor is not released from the assignor's liability under § 4A–502 of this title to the limited liability company.**]**

[4A–607.

(a) On application to a court of competent jurisdiction by any judgment creditor of a member, the court may charge the interest of the member in the limited liability company with the payment of the unsatisfied amount of the judgment with interest.

(b) To the extent so charged, the judgment creditor shall have only the rights of an assignee of the member's interest in the limited liability company.

(c) This title does not deprive a member of the benefit of any exemption laws applicable to the member's interest in the limited liability company.**]**

4A–607.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CREDITOR" MEANS A PERSON FOR WHOM A COURT MAY ISSUE AN ATTACHMENT UNDER TITLE 3, SUBTITLE 3 OF THE COURTS ARTICLE.

(3) "DEBTOR" MEANS A PERSON WHOSE PROPERTY OR CREDITS ARE SUBJECT TO ATTACHMENT UNDER TITLE 3, SUBTITLE 3 OF THE COURTS ARTICLE.

(B) (1) ON APPLICATION BY A CREDITOR OF A DEBTOR HOLDING AN INTEREST IN A LIMITED LIABILITY COMPANY, A COURT HAVING JURISDICTION MAY CHARGE THE INTEREST OF THE DEBTOR.

(2) THE COURT MAY APPOINT A RECEIVER FOR THE DISTRIBUTIONS DUE OR TO BECOME DUE TO THE DEBTOR WITH RESPECT TO THE LIMITED LIABILITY COMPANY AND MAKE ALL OTHER ORDERS, DIRECTIONS, ACCOUNTS, AND INQUIRIES THAT THE DEBTOR WOULD HAVE BEEN ENTITLED TO MAKE OR THAT THE CIRCUMSTANCES OF THE CASE MAY REQUIRE.

(C) (1) A CHARGING ORDER CONSTITUTES A LIEN ON THE INTEREST OF THE DEBTOR IN THE LIMITED LIABILITY COMPANY.

(2) (I) THE COURT MAY ORDER FORECLOSURE OF THE INTEREST SUBJECT TO THE CHARGING ORDER AT ANY TIME.

(II) THE PURCHASER AT THE FORECLOSURE SALE HAS ONLY THE RIGHTS OF AN ASSIGNEE AS PROVIDED IN §§ 4A–603 AND 4A–604 OF THIS SUBTITLE.

(D) BEFORE A FORECLOSURE UNDER THIS SECTION, AN INTEREST CHARGED MAY BE REDEEMED WITH PROPERTY:

(1) OTHER THAN PROPERTY OF THE LIMITED LIABILITY COMPANY, BY THE DEBTOR;

(2) OTHER THAN PROPERTY OF THE LIMITED LIABILITY COMPANY, BY ONE OR MORE OF THE MEMBERS OTHER THAN THE DEBTOR; OR

(3) OF THE LIMITED LIABILITY COMPANY, WITH THE CONSENT OF ALL OF THE MEMBERS WHOSE INTERESTS ARE NOT SO CHARGED.

(E) THIS TITLE DOES NOT DEPRIVE A DEBTOR OF A RIGHT UNDER EXEMPTION LAWS WITH RESPECT TO THE INTEREST OF THE DEBTOR IN THE LIMITED LIABILITY COMPANY.

(F) THIS SECTION PROVIDES THE EXCLUSIVE REMEDY BY WHICH A CREDITOR OR A PERSON HOLDING AN INTEREST IN A LIMITED LIABILITY COMPANY MAY ATTACH THE INTEREST OR OTHERWISE AFFECT THE RIGHTS OF A MEMBER IN THE LIMITED LIABILITY COMPANY.

4A–902.

(a) A limited liability company is dissolved and shall commence the winding up of its affairs on the first to occur of the following:

(1) At the time or on the happening of the events specified in the articles of organization or the operating agreement;

(2) At the time specified by the unanimous consent of the members;

(3) At the time of the entry of a decree of judicial dissolution under § 4A–903 of this subtitle; or

(4) Except as otherwise provided in the operating agreement or as provided in subsection (b) of this section, at the time the limited liability company has had no members for a period of 90 consecutive days.

(b) A limited liability company may not be dissolved or required to wind up its affairs if within 90 days after there are no remaining members of the limited liability company or within the period of time provided in the operating agreement:

(1) The last remaining member's personal representative **[**or**],** successor**, OR ASSIGNEE** agrees in writing to continue the limited liability company and to be admitted as a member or to appoint a designee as a member to be effective as of the time the last remaining member ceased to be a member; or

(2) A member is admitted to the limited liability company in the manner set forth in the operating agreement to be effective as of the time the last remaining member ceased to be a member under a provision in the operating agreement that provides for the admission of a member after there are no remaining members.

(c) An operating agreement may provide that the last remaining member's personal representative **[**or**],** successor**, OR ASSIGNEE** shall be obligated to agree in writing to continue the limited liability company and to be admitted as a member or to appoint a designee as a member to be effective as of the time the last remaining member ceased to be a member.

(d) Except as otherwise provided in the operating agreement and subject to the provisions of subsection (b) of this section, the termination of a person's membership may not cause a limited liability company to be dissolved or to wind up its affairs and the limited liability company shall continue in existence following the termination of a person's membership.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 598

(House Bill 682)

AN ACT concerning

Criminal Procedure – ~~Pretrial Release and~~ *Forfeiture of* Bail Bonds

FOR the purpose of ~~prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is charged with failure to appear, violation of probation, or violation of parole; providing that a judge may authorize the pretrial release of a certain defendant on suitable bail or certain conditions or both; requiring a judge to order the continued detention of a certain defendant~~

~~under certain circumstances at a certain time; creating a rebuttable presumption that a certain defendant will flee and pose a danger to another person or the community; authorizing in circuit courts and in the District Court "cash bail", or "cash bond" to be posted in the form of cash, surety bond, or property bond by the defendant or by a private surety acting for the defendant; requiring "cash bail", or "cash bond" to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant's failure to pay support to certain individuals;~~ prohibiting a court that exercises criminal jurisdiction from ~~giving back~~ *refunding* a forfeiture of bail or collateral at a certain time unless a private surety pays a forfeiture of bail or collateral within a certain time period after a defendant's failure to appear; requiring a court to ~~give back~~ *refund* a forfeiture of bail bond or collateral that was not paid within a certain time period after a defendant's failure to appear if on motion a private surety produces evidence that the defendant was incarcerated when the judgment of forfeiture was entered and the court strikes the judgment for fraud, mistake, or irregularity; providing for the repeal of laws inconsistent with this Act; and generally relating to ~~pretrial release and~~ *forfeiture of* bail bonds in circuit courts and in the District Court.

~~BY adding to~~
~~Article – Criminal Procedure~~
~~Section 5–202(j)~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2010 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section ~~5–203, 5–205, and~~ 5–208
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Criminal Procedure

~~5–202.~~

~~**(J) (1) A DISTRICT COURT COMMISSIONER MAY NOT AUTHORIZE THE PRETRIAL RELEASE OF A DEFENDANT WHO IS CHARGED WITH FAILURE TO APPEAR, VIOLATION OF PROBATION, OR VIOLATION OF PAROLE.**~~

~~**(2) (I) A JUDGE MAY AUTHORIZE THE PRETRIAL RELEASE OF A DEFENDANT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION ON:**~~

~~**1. SUITABLE BAIL;**~~

~~2. ANY OTHER CONDITIONS THAT WILL REASONABLY ENSURE THAT THE DEFENDANT WILL NOT FLEE OR POSE A DANGER TO ANOTHER PERSON OR THE COMMUNITY; OR~~

~~3. BOTH BAIL AND OTHER CONDITIONS DESCRIBED UNDER ITEM 2 OF THIS SUBPARAGRAPH.~~

~~(II) WHEN A DEFENDANT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION IS PRESENTED TO THE COURT UNDER MARYLAND RULE 4–216(F), THE JUDGE SHALL ORDER THE CONTINUED DETENTION OF THE DEFENDANT IF THE JUDGE DETERMINES THAT NEITHER SUITABLE BAIL NOR ANY CONDITION OR COMBINATION OF CONDITIONS WILL REASONABLY ENSURE THAT THE DEFENDANT WILL NOT FLEE OR POSE A DANGER TO ANOTHER PERSON OR THE COMMUNITY BEFORE THE TRIAL.~~

~~(3) THERE IS A REBUTTABLE PRESUMPTION THAT A DEFENDANT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WILL FLEE AND POSE A DANGER TO ANOTHER PERSON OR THE COMMUNITY.~~

~~5–203.~~

~~(a) (1) Subject to [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, a circuit court may adopt rules setting the terms and conditions of bail bonds filed in that court and rules on the qualifications of and fees charged by bail bondsmen.~~

~~(2) Notwithstanding any other law or rule to the contrary, if expressly authorized by the court, a defendant or a private surety acting for the defendant may post a bail bond by executing it in the full penalty amount and depositing with the clerk of court the greater of 10% of the penalty amount or $25.~~

~~(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN ORDER SETTING "CASH BAIL" OR "CASH BOND" MAY BE POSTED IN THE FORM OF CASH, SURETY BOND, OR PROPERTY BOND BY THE DEFENDANT OR BY A PRIVATE SURETY ACTING FOR THE DEFENDANT.~~

~~(II) UNLESS OTHERWISE ORDERED BY THE COURT, AN ORDER SETTING "CASH BAIL" OR "CASH BOND" FOR A FAILURE TO PAY SUPPORT UNDER TITLE 10, TITLE 11, TITLE 12, OR TITLE 13 OF THE FAMILY LAW ARTICLE MAY BE POSTED BY THE DEFENDANT ONLY.~~

~~[(3)] (4) A bail bond commissioner may be appointed to carry out rules adopted under this section.~~

~~[(4)] (5) A violation of a rule adopted under this section is contempt of court and shall be punished in accordance with Title 15, Chapter 200 of the Maryland Rules.~~

~~[(5)] (6) A person may not engage in the business of becoming a surety for compensation on bail bonds in criminal cases unless the person is:~~

~~(i) approved in accordance with any rules adopted under this section; and~~

~~(ii) if required under the Insurance Article, licensed in accordance with the Insurance Article.~~

~~(b) (1) In the circuit courts in the Seventh Judicial Circuit, a bail bondsman approved under subsection (a) of this section shall pay a license fee of 1% of the gross value of all bail bonds written in all courts of the circuit, if the fee is approved by the court of the county in which it applies.~~

~~(2) The fee shall be paid to the court as required by the rules of court and shall be used to pay the expenses of carrying out this section.~~

~~(3) Any absolute bail bond forfeitures collected may be used to pay the expenses of carrying out this section.~~

~~5–205.~~

~~(a) A District Court judge may:~~

~~(1) set bond or bail;~~

~~(2) release a defendant on personal recognizance or on a personal or other bail bond;~~

~~(3) commit a defendant to a correctional facility in default of a bail bond;~~

~~(4) order a bail bond forfeited if the defendant fails to meet the conditions of the bond; and~~

~~(5) exercise all of the powers of a justice of the peace under the Constitution of 1867.~~

~~**(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN ORDER SETTING "CASH BAIL" OR "CASH BOND" MAY BE POSTED IN THE FORM OF CASH, SURETY BOND, OR PROPERTY BOND BY THE DEFENDANT OR BY A PRIVATE SURETY ACTING FOR THE DEFENDANT.**~~

~~(2) UNLESS OTHERWISE EXPRESSLY ORDERED BY THE COURT OR DISTRICT COURT COMMISSIONER, AN ORDER SETTING "CASH BAIL" OR "CASH BOND" FOR A FAILURE TO PAY SUPPORT UNDER TITLE 10, TITLE 11, TITLE 12, OR TITLE 13 OF THE FAMILY LAW ARTICLE MAY BE POSTED BY THE DEFENDANT ONLY.~~

~~[(b)] (C) (1) This subsection does not apply to a defendant who has been arrested for failure to appear in court or for contempt of court.~~

~~(2) (i) Notwithstanding any other law or rule to the contrary, in a criminal or traffic case in the District Court in which a bail bond has been set and if expressly authorized by the court or District Court commissioner, the defendant or a private surety acting for the defendant may post the bail bond by:~~

~~1. executing it in the full penalty amount; and~~

~~2. depositing with the clerk of the court or a commissioner the greater of 10% of the penalty amount or $25.~~

~~(ii) A judicial officer may increase the percentage of cash surety required in a particular case but may not authorize a cash deposit of less than $25.~~

~~(3) On depositing the amount required under paragraph (2) of this subsection and executing the recognizance, the defendant shall be released from custody subject to the conditions of the bail bond.~~

~~[(c)] (D) (1) When all conditions of the bail bond have been performed without default and the defendant has been discharged from all obligations in the cause for which the recognizance was posted, the clerk of the court shall return the deposit to the person or private surety who deposited it.~~

~~(2) (i) If the defendant fails to perform any condition of the bail bond, the bail bond shall be forfeited.~~

~~(ii) If the bail bond is forfeited, the liability of the bail bond shall extend to the full amount of the bail bond set and the amount posted as a deposit shall be applied to reduce the liability incurred by the forfeiture.~~

5–208.

(a) In this section, "return" means to place in the custody of a police officer, sheriff, or other commissioned law enforcement officer who is authorized to make arrests within the jurisdiction of the court.

(b) (1) Subject to paragraph (2) of this subsection, a court that exercises criminal jurisdiction shall strike out a forfeiture of bail or collateral and discharge the underlying bail bond if the defendant can show reasonable grounds for the defendant's failure to appear.

(2) **(I)** The court shall**[**:

(i)**]** allow a surety 90 days after the date of the defendant's failure to appear or, for good cause shown, 180 days to return the defendant before requiring the payment of any forfeiture of bail or collateral**[**; and**].**

(ii) **THE COURT SHALL** strike out a forfeiture of bail or collateral and deduct only the actual expense incurred for the defendant's arrest, apprehension, or surrender, if:

1. **THE SURETY PAID THE FORFEITURE OF BAIL OR COLLATERAL DURING THE PERIOD ALLOWED FOR THE RETURN OF THE DEFENDANT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH;**

2. the defendant is returned; and

[2.**] 3.** the arrest, apprehension, or surrender occurs more than 90 days after the defendant's failure to appear or at the end of the period that the court allows to return the defendant.

(c) Evidence of confinement of a fugitive defendant in a correctional facility in the United States is a wholly sufficient ground to strike out a forfeiture, if assurance is given that the defendant will come back to the jurisdiction of the court on expiration of the sentence at no expense to the State, county, or municipal corporation.

(d) (1) Except as provided in paragraph (2) of this subsection, if the court indefinitely postpones trial of a criminal charge by marking the criminal charge "stet" on the docket:

(i) the defendant or other person who gave collateral for bail or recognizance is entitled to a refund; and

(ii) if a bail bond or other security was given, the bail bond or other security shall be discharged.

(2) If the bail bond or other security has been declared forfeited and 10 years have passed since the bail bond or other security was posted, the defendant or other person may not receive a refund or discharge.

(e) (1) A court exercising criminal jurisdiction may not order a forfeiture of the bail bond or collateral posted by a surety and shall give back the bail bond or collateral to the surety if:

(i) the defendant fails to appear in court; and

(ii) the surety produces evidence, within the time limits established under subsection (b) of this section, that:

1. the defendant is confined in a correctional facility outside the State;

2. the State's Attorney is unwilling to issue a detainer and later extradite the defendant; and

3. the surety agrees in writing to defray the expense of returning the defendant to the jurisdiction in accordance with subsection (c) of this section.

(2) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, [**A**] A** court exercising criminal jurisdiction that has ordered forfeiture of a bail bond or collateral after expiration of the time limits established under subsection (b) of this section for a surety to return a defendant shall give back the forfeited bail bond or collateral if, within 10 years after the date the bail bond or collateral was posted, the surety produces evidence that:

(i) the defendant is confined in a correctional facility outside the State;

(ii) the State's Attorney is unwilling to issue a detainer and later extradite the defendant; and

(iii) the surety agrees in writing to defray the expense of returning the defendant to the jurisdiction in accordance with subsection (c) of this section.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT MAY NOT ~~GIVE BACK~~ *REFUND* A FORFEITED BAIL BOND OR COLLATERAL TO A SURETY UNDER THIS SUBSECTION UNLESS THE SURETY PAID THE FORFEITURE OF BAIL OR COLLATERAL WITHIN THE TIME LIMITS ESTABLISHED FOR THE SURETY TO RETURN THE DEFENDANT UNDER SUBSECTION (B)(2)(I) OF THIS SECTION.

(II) THE COURT MAY ~~GIVE BACK~~ *REFUND* A FORFEITED BAIL BOND OR COLLATERAL THAT WAS NOT PAID WITHIN THE TIME LIMITS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION, IF:

1. ON MOTION, THE SURETY PRODUCES EVIDENCE THAT THE DEFENDANT WAS INCARCERATED WHEN THE JUDGMENT OF FORFEITURE WAS ENTERED; AND

2. THE COURT STRIKES OUT THE JUDGMENT OF FORFEITURE FOR FRAUD, MISTAKE, OR IRREGULARITY.

SECTION 2. AND BE IT FURTHER ENACTED, That all laws or parts of laws, public general or public local, inconsistent with this Act, are repealed to the extent of the inconsistency.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 599

(House Bill 727)

AN ACT concerning

State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments

FOR the purpose of providing that certain annual retirement allowance adjustments shall be a certain amount under certain circumstances; requiring that certain annual retirement allowances be reduced by a certain amount under certain circumstances; defining certain terms; repealing certain termination provisions; requiring the State Retirement Agency to review certain provisions of the State Personnel and Pensions Article for a certain purpose and make certain recommendations to the Joint Committee on Pensions on or before a certain date; and generally relating to annual retirement allowance adjustments for retirees of the several systems of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–401(e), 29–406, 29–407, 29–412, 29–418, and 29–427
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing
Chapter 56 of the Acts of the General Assembly of 2010

Section 4

BY repealing
Chapter 57 of the Acts of the General Assembly of 2010
Section 4

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

24–401.

(e) (1) Subject to paragraph (2) of this subsection, a retiree, or a beneficiary of a retiree, who retires on or before June 30, 1999 with a service retirement allowance, shall receive an annual retirement allowance adjustment as of July 1, 1999, as follows:

(i) for a retiree who has been retired not more than 5 years, $1,200;

(ii) for a retiree who has been retired more than 5 years but not more than 10 years, $1,500;

(iii) for a retiree who has been retired more than 10 years but not more than 15 years, $1,800; and

(iv) for a retiree who has been retired more than 15 years, $2,100.

(2) Except as provided in paragraph (3) of this subsection, each fiscal year, the Board of Trustees shall **[**increase**]** **ADJUST** the adjustment received by the retiree or the beneficiary as of July 1, 1999, by multiplying the adjustment by a fraction that has:

(i) as its numerator, the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year; and

(ii) as its denominator, the Consumer Price Index for the calendar year ending December 31, 1998.

[(3) (i) For fiscal year 2011, if the annual retirement allowance adjustment that is adjusted as provided in paragraph (2) of this subsection is less than the annual retirement allowance adjustment payable for fiscal year 2010, the annual retirement allowance adjustment payable for fiscal year 2011 shall equal the annual retirement allowance adjustment payable for fiscal year 2010.

(ii) For fiscal year 2012, the annual retirement allowance adjustment that is adjusted as provided in paragraph (2) of this subsection shall be reduced by the difference between the annual retirement allowance adjustment payable for fiscal year 2010 and the annual retirement allowance adjustment that would have been payable for fiscal year 2011 if it had been adjusted under paragraph (2) of this subsection.]

(3) (I) IN THIS PARAGRAPH, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION IS LESS THAN THE ALLOWANCE ADJUSTMENT PAID FOR THE PRECEDING FISCAL YEAR.

(II) FOR ANY FISCAL YEAR, THE ALLOWANCE ADJUSTMENT MAY NOT BE LESS THAN THE ALLOWANCE ADJUSTMENT PAID FOR THE PRECEDING FISCAL YEAR.

(III) 1. THIS SUBPARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

2. SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH:

A. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE ADJUSTMENT PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE ADJUSTMENT THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN ADJUSTED AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

B. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCE ADJUSTMENTS PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THE ZERO–ADJUSTMENT FISCAL YEARS IF THE ALLOWANCE ADJUSTMENT FOR EACH OF THOSE FISCAL YEARS HAD BEEN ADJUSTED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

3. IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH

EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION FOR THE FISCAL YEAR AND THE ALLOWANCE ADJUSTMENT PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE FISCAL YEARS, SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–406.

(a) **[**(1)**]** **[**Except as provided in paragraph (2) of this subsection and subject**]** **SUBJECT** to subsection (c) of this section, the cost–of–living adjustment made under this Part II equals the initial allowance multiplied by a fraction that has:

[(i)**]** **(1)** as its numerator, the amount obtained by subtracting the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year from the base year Consumer Price Index described in subsection (b) of this section; and

[(ii)**]** **(2)** as its denominator, the base year Consumer Price Index described in subsection (b) of this section.

[(2) If the cost–of–living adjustment determined under paragraph (1) of this subsection for fiscal year 2011 would result in an allowance payable for fiscal year 2011 that is less than the allowance payable for fiscal year 2010, the annual cost–of–living adjustment for fiscal year 2011 shall equal $0.00.**]**

(b) The base year Consumer Price Index referred to in subsection (a) of this section equals the later of:

(1) the Consumer Price Index for the calendar year ending December 31 of the fiscal year that preceded the last adjustment; or

(2) (i) for a retiree, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the retiree was last employed as a member; or

(ii) for a former member who elected a vested allowance in accordance with § 29–303 of this title, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the former member became 62 years old.

(c) The cost–of–living adjustment under this section may not exceed 3% of the initial allowance.

29–407.

(a) Except as provided in subsection (b) of this section, the total allowance payable in any fiscal year shall be the sum of:

(1) the initial allowance;

(2) all prior cost–of–living adjustments;

(3) the cost–of–living adjustment provided for under § 29–406 of this subtitle; and

(4) any additional annuity.

[(b) For fiscal year 2012, the allowance payable as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been paid for fiscal year 2011 if the cost–of–living adjustment had been calculated as provided under § 29–406(a) of this subtitle.**]**

(B) (1) IN THIS SUBSECTION, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE COST–OF–LIVING ADJUSTMENT PROVIDED IN § 29–406 OF THIS SUBTITLE IS LESS THAN $0.00.

(2) FOR ANY FISCAL YEAR, THE TOTAL ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(3) (I) THIS PARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH:

1. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION; AND

2. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD

HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION.

(III) IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–412.

(a) Except as provided in subsection (b) of this section and subject to § 29–413 of this subtitle, each fiscal year, the Board of Trustees shall adjust an initial allowance by multiplying the initial allowance by the fraction that has:

(1) as its numerator, the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year; and

(2) as its denominator:

(i) for a retiree, the beneficiary of a retiree, or the surviving spouse of a member, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the retiree or member was last employed; or

(ii) for a former member or the beneficiary of a former member, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the former member reaches normal retirement age.

[(b) For fiscal year 2011, if the allowance adjusted as provided in subsection (a) of this section is less than the allowance payable for fiscal year 2010, the allowance payable for fiscal year 2011 shall equal the allowance payable for fiscal year 2010.

(c) For fiscal year 2012, the allowance adjusted as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been payable for fiscal year 2011 if it had been adjusted under subsection (a) of this section.**]**

(B) (1) IN THIS SUBSECTION, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION RESULTS IN AN ALLOWANCE THAT IS LESS THAN THE ALLOWANCE PAYABLE FOR THE PRECEDING FISCAL YEAR.

(2) FOR ANY FISCAL YEAR, THE ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(3) (I) THIS PARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH:

1. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION; AND

2. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION.

(III) IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–418.

(a) **[**(1)**]** **[**Except as provided in paragraph (2) of this subsection, each**]** **EACH** fiscal year, the Board of Trustees shall adjust an allowance by multiplying the allowance for the preceding fiscal year, exclusive of any additional voluntary annuity, by a rate not exceeding 5%, that is obtained by dividing the Consumer Price Index for the calendar year ending December 31, in the preceding fiscal year by the Consumer Price Index for the calendar year ending December 31 in the second preceding fiscal year.

[(2) If the adjustment determined under paragraph (1) of this subsection for fiscal year 2011 would result in an allowance payable for fiscal year 2011 that is less than the allowance for fiscal year 2010, the adjustment for fiscal year 2011 shall equal $0.00.]

(b) The adjustment under subsection (a) of this section shall begin the second July 1 after the day preceding the retiree's date of retirement or the former member's effective date for receipt of a vested allowance.

(c) (1) Except as provided in paragraph (2) of this subsection, the total allowance payable in each fiscal year shall be the sum of:

(i) the annual rate of allowance paid during the preceding fiscal year;

(ii) the adjustment in allowance provided for under this section; and

(iii) any additional annuity.

[(2) For fiscal year 2012, the allowance payable as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been paid for fiscal year 2011 if the adjustment had been calculated as provided under subsection (a) of this section.]

(2) (I) IN THIS PARAGRAPH, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION RESULTS IN AN ALLOWANCE THAT IS LESS THAN THE ALLOWANCE PAYABLE FOR THE PRECEDING FISCAL YEAR.

(II) FOR ANY FISCAL YEAR, THE ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(III) 1. THIS SUBPARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

2. SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH:

A. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR

AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

B. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH.

3. IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–427.

(a) **[**(1)**]** **[**Except as provided in paragraph (2) of this subsection, each**]** **EACH** fiscal year, the Board of Trustees shall adjust an allowance by multiplying the allowance for the preceding fiscal year, exclusive of any additional voluntary annuity, by a rate not exceeding 3%, that is obtained by dividing the Consumer Price Index for the calendar year ending December 31 in the preceding fiscal year by the Consumer Price Index for the calendar year ending December 31 in the second preceding fiscal year.

[(2) If the adjustment determined under paragraph (1) of this subsection for fiscal year 2011 would result in an allowance payable for fiscal year 2011 that is less than the allowance payable for fiscal year 2010, the adjustment for fiscal year 2011 shall equal $0.00.**]**

(b) The adjustment under subsection (a) of this section shall begin the second July 1 after the day preceding the retiree's date of retirement or the former member's effective date for receipt of a vested allowance.

(c) (1) Except as provided in paragraph (2) of this subsection, the total allowance payable in each fiscal year shall be the sum of:

(i) the annual rate of allowance paid during the preceding fiscal year;

(ii) the adjustment in allowance provided for under this section; and

(iii) any additional annuity.

[(2) For fiscal year 2012, the allowance payable as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been paid for fiscal year 2011 if the adjustment had been calculated as provided under subsection (a) of this section.**]**

(2) (I) IN THIS PARAGRAPH, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION IS LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(II) FOR ANY FISCAL YEAR, THE ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(III) 1. THIS SUBPARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

2. SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH:

A. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

B. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE

FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH.

3. IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

Chapter 56 of the Acts of 2010

[SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall remain effective through December 31, 2014, and, at the end of December 31, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.**]**

Chapter 57 of the Acts of 2010

[SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall remain effective through December 31, 2014, and, at the end of December 31, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2011, the State Retirement Agency shall review § 24–401 and Title 29, Subtitle 4 of the State Personnel and Pensions Article for accuracy and clarity and make recommendations to the Joint Committee on Pensions to provide greater accuracy and clarity to § 24–401 and Title 29, Subtitle 4 of the State Personnel and Pensions Article

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 600

(House Bill 756)

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; ~~applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers;~~ authorizing a certain party to request arbitration by a certain board of arbitration if a certain agreement is not reached by a certain date; ~~authorizing certain collective bargaining negotiations to continue until the first day of arbitration;~~ providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; authorizing a board of arbitration to exercise certain powers; requiring a board of arbitration to take certain actions within a certain period of time; requiring the Baltimore City Labor Commissioner or designated representative to provide each member of the board of arbitration with certain information; prohibiting a board of arbitration from providing for certain issues; authorizing the board of arbitration to order the implementation of a certain proposal ~~or to modify certain final offers to develop a new agreement~~; providing that the decision of a certain board of arbitration is final and may not be appealed; requiring that certain city officials take certain action based on a certain decision of the board of arbitration; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; ~~making a technical change; establishing a certain cap on the cost of an arbitration proceeding to be paid by the City of Baltimore in a fiscal year~~ establishing that the cost of an arbitration proceeding under this Act be paid equally by the parties involved; defining a certain term; providing for a delayed effective date; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

~~BY repealing and reenacting, with amendments,~~
~~The Charter of Baltimore City~~
~~Article II – General Powers~~
~~Section (55)~~
~~(2007 Replacement Volume, as amended)~~

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–8A
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

~~**The Charter of Baltimore City**~~

~~Article II – General Powers~~

~~The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of~~

~~Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:~~

~~(55)~~

~~(a) To provide by ordinance an orderly procedure for participation by municipal employees and their representatives in the formulation of labor relations and personnel policies, recognizing the right of employees to organize and bargain collectively through representatives of their own choosing and generally authorizing the Mayor and City Council of Baltimore to provide for~~

~~(1) the manner of establishing units appropriate for collective bargaining and of designating or selecting exclusive bargaining representatives;~~

~~(2) the rights of the employer, employees and the employee organization designated as the exclusive representative in an appropriate unit;~~

~~(3) the procedure for the negotiation of a collective bargaining agreement with respect to the terms and conditions of employment and the manner for resolution of a negotiation impasse;~~

~~(4) the payment of a service fee, as a condition of continuing employment, for administration of the collective bargaining agreement and the right of the exclusive representative to the checkoff of dues or service fees;~~

~~(5) the designation of unfair labor practices and remedies for the same;~~

~~(6) the definition of a grievance and the procedure for resolution; and~~

~~(7) other related matters to effectuate the ordinance.~~

~~The Mayor and City Council of Baltimore are authorized, consistent with the provisions of the Charter of Baltimore City, to submit to binding arbitration any dispute arising from the interpretation of, or the application of, any collective bargaining agreement with an exclusive representative. Binding arbitration for fire fighters~~ **[**~~and~~**]**, ~~fire officers~~**, AND POLICE OFFICERS** ~~shall be conducted as provided in subsection (b).~~

~~This section does not authorize a strike by any municipal employee or employees.~~

~~Until amended by ordinance, the presently existing municipal employee relations ordinance shall remain in force and effect.~~

~~(b) (1) **(I)** If the certified employee organization or organizations representing fire fighters and fire officers within the Fire Department and the employer have not reached a written agreement concerning terms and conditions of employment by March 1 of any year, either party may request arbitration by a board of arbitration, as herein provided, which request must be honored.~~

~~**(II) 1. IF THE CERTIFIED EMPLOYEE ORGANIZATION OR ORGANIZATIONS REPRESENTING POLICE OFFICERS WITHIN THE POLICE DEPARTMENT AND THE EMPLOYER HAVE NOT REACHED A WRITTEN AGREEMENT CONCERNING TERMS AND CONDITIONS OF EMPLOYMENT BY APRIL 1 OF ANY YEAR, EITHER PARTY MAY REQUEST ARBITRATION BY A BOARD OF ARBITRATION.**~~

~~**2. COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN A CERTIFIED EMPLOYEE ORGANIZATION OR ORGANIZATIONS REPRESENTING POLICE OFFICERS WITHIN THE POLICE DEPARTMENT MAY CONTINUE UNTIL THE FIRST DAY OF ARBITRATION.**~~

~~(2) The board of arbitration shall be composed of 3 members, 1 appointed by the Mayor, and 1 appointed jointly by the certified employee organizations representing the fire fighters and fire officers **OR POLICE OFFICERS** involved. These members shall be selected within 4 days of the request for arbitration. The third member shall be selected within 4 additional days by the 2 arbitrators previously chosen and in accordance with the procedures of the American Arbitration Association from a list furnished by the Association. Such member selected shall act as chairman of the board of arbitration.~~

~~The board of arbitration thus established shall commence the arbitration proceedings within 7 days after the chairman is selected and shall make its decision, by a majority vote, within 15 days after the commencement of the arbitration proceedings. For good cause the chairman may extend the time requirement set forth herein.~~

~~(3) Within 3 days after the selection of the chairman of the board of arbitration, the Labor Commissioner or his designated representative shall provide to each member of the board of arbitration and to all parties, a detailed itemization of the last proposal made by the respective parties during the negotiations.~~

~~(4) The board of arbitration shall identify the major issues in the dispute, review the positions of all parties and shall take into consideration wages, benefits, hours, and other working conditions of other fire **OR POLICE** department and public safety employees in Maryland as well as in comparable metropolitan political subdivisions in other states, and shall also consider the value of other benefits available to or received by other employees of the Mayor and City Council of Baltimore as compared with private sector employees in the metropolitan Baltimore City area and as compared with employees of other fire **OR POLICE** departments and other~~

~~public safety employees. The board of arbitration shall further consider consumer prices for goods and services and other related items, cost of living data, and such other factors, not confined to the foregoing, which are normally utilized in the determination of wages and other benefits in the collective bargaining process, and shall also take into account the financial condition of the City.~~

~~(5) The board of arbitration shall have the power to administer oaths, compel the attendance of witnesses, and require the production of evidence by subpoena.~~

~~(6) **(I) 1. THIS SUBPARAGRAPH APPLIES ONLY TO BINDING ARBITRATION FOR FIREFIGHTERS AND FIRE OFFICERS.**~~

~~**2.** The board of arbitration after hearing witnesses and considering and receiving such written evidence as may be submitted shall, by written decision, order the implementation, in its entirety, of the last proposal of one of the respective parties previously submitted in accordance with **[**subparagraph (c) of this section**]** **PARAGRAPH (3) OF THIS SUBSECTION.**~~

~~**(II) 1. THIS SUBPARAGRAPH APPLIES ONLY TO BINDING ARBITRATION FOR POLICE OFFICERS.**~~

~~**2. THE BOARD OF ARBITRATION, AFTER HEARING WITNESSES AND CONSIDERING AND RECEIVING ANY WRITTEN EVIDENCE SUBMITTED, SHALL ORDER THE IMPLEMENTATION OF A FINAL AGREEMENT BY WRITTEN DECISION.**~~

~~**3. THE DECISION OF THE BOARD OF ARBITRATION MAY:**~~

~~**A. ORDER THE IMPLEMENTATION IN ITS ENTIRETY OF THE LAST PROPOSAL OF ONE OF THE RESPECTIVE PARTIES PREVIOUSLY SUBMITTED IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION; OR**~~

~~**B. MODIFY THE FINAL OFFERS OF THE PARTIES IN ORDER TO DEVELOP A NEW FINAL AGREEMENT.**~~

~~(7) The decision of the majority of the board of arbitration thus established shall be final and binding upon the Mayor and City Council of Baltimore and upon the certified employee organizations involved in the proceedings. No appeal therefrom shall be allowed. Such decision shall constitute a mandate to the Mayor of Baltimore City in respect to such matters which can be remedied administratively by him, and as a mandate to the Board of Estimates and the City Council with respect to matter(s) which require legislative action necessary to implement the decision of the board of arbitration.~~

~~With respect to matters which require legislative action for implementation, such legislation shall be enacted within 45 days following the date of the arbitration decision.~~

~~With respect to salaries and wage scales, the amounts determined by the final decision of the board of arbitration shall be included in the proposed Ordinance of Estimates in accordance with Section 2(e)(1) of Article VI, shall not be reduced by the City Council in accordance with Section 2(g) of Article VI, and shall be adopted by the Board of Estimates as the salary and wage scales for employees of the Fire Department~~ **~~OR POLICE DEPARTMENT~~** ~~in accordance with Section 5 of Article VI.~~

~~(8)~~ **~~(I)~~** ~~[The]~~ **~~EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE~~** ~~cost of the arbitration proceedings provided for herein shall be borne equally by the parties involved.~~

~~(II)~~ **~~1.~~** **~~THIS SUBPARAGRAPH APPLIES ONLY TO BINDING ARBITRATION FOR POLICE OFFICERS.~~**

~~2.~~ **~~THE COST OF AN ARBITRATION PROCEEDING TO BE PAID BY THE CITY OF BALTIMORE MAY NOT EXCEED $15,000 IN A FISCAL YEAR.~~**

Article 4 – Baltimore City

16–8A.

(a) Except as otherwise provided in this section, the provisions of Sections 119 through 136 of Article 1 of the Baltimore City Code (1976 Edition) as amended from time to time, and any rules and regulations adopted pursuant thereto, governing or relating to labor relations or collective bargaining with general municipal employees of Baltimore City shall apply to labor relations and collective bargaining between the City and uniformed and civilian employees of the Baltimore City Police Department.

(b) (1) Negotiations with a certified exclusive representative of police officers shall be conducted jointly by the Police Commissioner of Baltimore City and the Labor Commissioner, or their designees, on behalf of the employer.

(2) An employee organization may not be denied certification as the exclusive representative of any police officers solely for the reason that it:

(i) admits to membership rank and file employees in addition to supervisory and/or professional employees; or

(ii) affiliates with another employee organization which admits to membership rank and file, supervisory, or professional employees.

(3) (I) 1. IN THIS PARAGRAPH AND FOR PURPOSES OF ARBITRATION, "DIRECT COMPENSATION" MEANS WAGES, SALARIES, LONGEVITY, SHIFT DIFFERENTIAL, BONUSES IF APPLICABLE, AND LEAVE WITH MONETARY VALUE.

2. "DIRECT COMPENSATION" DOES NOT INCLUDE:

A. PENSIONS OR ANY BENEFIT THAT IS TO BE PAID ON OR AFTER AN EMPLOYEE'S RETIREMENT OR TERMINATION OF EMPLOYMENT; OR

B. ISSUES THAT DO NOT RELATE TO DIRECT COMPENSATION, SUCH AS, BUT NOT LIMITED TO, JOB SECURITY, DISCIPLINARY PROCEDURES, INVESTIGATIONS AND ACTIONS, PROMOTIONS, DEPLOYMENT OR SCHEDULING, INCLUDING ELIGIBILITY AND ASSIGNMENT TO DETAILS AND POSITIONS, LOSS OF LEAVE AS PROVIDED IN THE GENERAL ORDERS, OR ISSUES RELATING TO ELIGIBILITY FOR OVERTIME COMPENSATION.

(II) IF THE CERTIFIED EMPLOYEE ORGANIZATION OR ORGANIZATIONS REPRESENTING POLICE OFFICERS WITHIN THE POLICE DEPARTMENT AND THE EMPLOYER HAVE NOT REACHED A WRITTEN AGREEMENT CONCERNING ALL ISSUES OF DIRECT COMPENSATION BY MARCH 1 OF ANY YEAR, EITHER PARTY MAY AT ANY TIME THEREAFTER REQUEST ARBITRATION BY A BOARD OF ARBITRATION, AS PROVIDED IN THIS PARAGRAPH, WHICH REQUEST MUST BE HONORED.

(III) 1. THE BOARD OF ARBITRATION SHALL BE COMPOSED OF THREE MEMBERS, OF WHICH ONE IS APPOINTED BY THE MAYOR AND ONE IS APPOINTED JOINTLY BY THE CERTIFIED EMPLOYEE ORGANIZATIONS REPRESENTING THE POLICE OFFICERS INVOLVED. THE TWO MEMBERS APPOINTED BY THE MAYOR AND THE EMPLOYEE ORGANIZATIONS SHALL BE SELECTED WITHIN 4 DAYS OF THE REQUEST FOR ARBITRATION. THE THIRD MEMBER SHALL BE SELECTED WITHIN 4 ADDITIONAL DAYS BY THE TWO ARBITRATORS PREVIOUSLY CHOSEN AND, IN ACCORDANCE WITH THE PROCEDURES OF THE AMERICAN ARBITRATION ASSOCIATION, MUST BE SELECTED FROM A LIST OF SEVEN ARBITRATORS FURNISHED BY THE AMERICAN ARBITRATION ASSOCIATION. ALL OF THE ARBITRATORS ON THE LIST FURNISHED BY THE AMERICAN ARBITRATION ASSOCIATION MUST BE MEMBERS OF THE NATIONAL ACADEMY OF ARBITRATORS. UNLESS THE PARTIES MUTUALLY AGREE ON THE THIRD ARBITRATOR, THE PARTIES ALTERNATELY SHALL STRIKE NAMES FROM THE LIST UNTIL ONE NAME REMAINS. THE PARTY

REQUESTING ARBITRATION SHALL STRIKE THE FIRST NAME. THE THIRD MEMBER SELECTED IS THE CHAIRMAN OF THE BOARD OF ARBITRATION.

2. THE BOARD OF ARBITRATION SHALL BEGIN THE ARBITRATION PROCEEDINGS WITHIN 7 DAYS AFTER THE CHAIRMAN IS SELECTED AND MAKE ITS DECISION, BY A MAJORITY VOTE, WITHIN 30 DAYS AFTER BEGINNING THE PROCEEDINGS. FOR GOOD CAUSE THE CHAIRMAN MAY EXTEND ANY OF THE TIME REQUIREMENTS SET FORTH HEREIN.

(IV) WITHIN 3 DAYS AFTER THE SELECTION OF THE CHAIRMAN OF THE BOARD OF ARBITRATION, THE LABOR COMMISSIONER OR THE DESIGNATED REPRESENTATIVE OF THE LABOR COMMISSIONER SHALL PROVIDE EACH MEMBER OF THE BOARD OF ARBITRATION AND ALL PARTIES WITH A DETAILED ITEMIZATION OF THE LAST PROPOSAL MADE BY EACH OF THE RESPECTIVE PARTIES DURING THE NEGOTIATIONS WITH RESPECT TO ISSUES OF DIRECT COMPENSATION.

(V) THE PROVISIONS OF THIS PARAGRAPH GOVERNING INTEREST ARBITRATION FOR POLICE OFFICERS SHALL APPLY ONLY TO THE TERMS OF COLLECTIVE BARGAINING AGREEMENTS DIRECTLY RELATING TO DIRECT COMPENSATION. THE PROVISIONS OF THIS PARAGRAPH MAY NOT BE CONSTRUED AS BEING CONTRADICTORY TO THE PROVISIONS OF THE GENERAL ORDERS. IF THERE IS A DISPUTE OVER WHETHER AN ISSUE IS AN ISSUE OF DIRECT COMPENSATION, THE BOARD OF ARBITRATION SHALL DECIDE THE ISSUE AND THE DECISION BY THE BOARD OF ARBITRATION IS FINAL AND BINDING ON BOTH PARTIES.

(VI) 1. THE BOARD OF ARBITRATION SHALL IDENTIFY THE MAJOR ISSUES IN THE DISPUTE, REVIEW THE POSITIONS OF ALL PARTIES, AND BASE THE AWARD ON THE FOLLOWING FACTORS:

A. THE LAWFUL AUTHORITY OF THE CITY;

B. THE FINANCIAL CONDITIONS OF THE CITY;

C. THE STIPULATIONS OF THE PARTIES;

D. THE TERMS OF THE EXISTING COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE PARTIES IN THE PAST PROVIDING FOR DIRECT COMPENSATION FOR EMPLOYEES INVOLVED IN THE ARBITRATION PROCEEDING;

E. THE OVERALL COMPENSATION AND BENEFITS PAID TO THE EMPLOYEES INVOLVED IN THE ARBITRATION PROCEEDING,

WHETHER REACHED BY A COLLECTIVE BARGAINING AGREEMENT OR OTHERWISE, INCLUDING ANY INCREASED COST TO THE CITY FOR PROVIDING THE BENEFITS;

F. THE TERMS AND CONDITIONS OF OTHER EMPLOYEES OF THE MAYOR AND CITY COUNCIL OF BALTIMORE, INCLUDING BOTH EMPLOYEES REPRESENTED IN OTHER BARGAINING UNITS AND THE CITY'S UNREPRESENTED EMPLOYEES, AND INCLUDING ANY CHANGES IN THE TERMS AND CONDITIONS FOR THE PERIOD TO BE COVERED BY THE ARBITRATION AWARD;

G. THE OVERALL COMPENSATION AND BENEFITS OF OTHER POLICE DEPARTMENTS AND PUBLIC SAFETY EMPLOYEES IN THE STATE, AS WELL AS OF COMPARABLE METROPOLITAN POLITICAL SUBDIVISIONS IN OTHER STATES, AND THE CONSIDERATION OF THE VALUE OF OTHER BENEFITS AVAILABLE TO OR RECEIVED BY OTHER EMPLOYEES OF THE MAYOR AND CITY COUNCIL OF BALTIMORE AS COMPARED WITH PRIVATE SECTOR EMPLOYEES IN THE METROPOLITAN BALTIMORE CITY AREA AND AS COMPARED WITH EMPLOYEES OF OTHER POLICE DEPARTMENTS AND OTHER PUBLIC SAFETY EMPLOYEES;

H. THE CONSUMER PRICES FOR GOODS AND SERVICES AND OTHER RELATED ITEMS, COST–OF–LIVING DATA, AND OTHER FACTORS THAT ARE NORMALLY UTILIZED IN THE DETERMINATION OF WAGES AND OTHER BENEFITS IN THE COLLECTIVE BARGAINING PROCESS;

I. THE INCREASES AND DECREASES IN THE CONSUMER PRICE INDEX PUBLISHED BY THE BUREAU OF LABOR STATISTICS IN THE UNITED STATES DEPARTMENT OF LABOR; AND

J. THE PUBLIC WELFARE, INCLUDING THE IMPACT OF THE AWARD ON THE CITY'S ABILITY TO CONTINUE PROVIDING SERVICES GENERALLY TO THE RESIDENTS OF THE CITY.

2. NOTWITHSTANDING SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE BOARD OF ARBITRATION IN RENDERING AN AWARD MAY NOT PROVIDE FOR ISSUES RELATING TO DIRECT COMPENSATION THAT ADVERSELY AFFECT THE CITY'S ABILITY TO CONTINUE TO FUND OTHER PUBLIC SERVICES GENERALLY. THE BOARD OF ARBITRATION SHALL ISSUE A WRITTEN DECISION THAT DEMONSTRATES THAT ALL THE FACTORS SET FORTH ABOVE HAVE BEEN CONSIDERED AND APPLIED AND INCLUDES THE EVIDENCE ON RECORD RELIED ON IN MAKING THE AWARD.

(VII) THE BOARD OF ARBITRATION SHALL HAVE THE POWER TO ADMINISTER OATHS, COMPEL THE ATTENDANCE OF WITNESSES, AND REQUIRE THE PRODUCTION OF EVIDENCE BY SUBPOENA.

(VIII) THE BOARD OF ARBITRATION AFTER HEARING WITNESSES AND RECEIVING AND CONSIDERING THE WRITTEN EVIDENCE THAT IS SUBMITTED SHALL ISSUE ITS WRITTEN DECISION THAT ORDERS THE IMPLEMENTATION, IN ITS ENTIRETY, OF THE LAST PROPOSAL OF ONE OF THE RESPECTIVE PARTIES SUBMITTED IN ACCORDANCE WITH SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

(IX) 1. THE DECISION OF A MAJORITY OF THE MEMBERS OF THE BOARD OF ARBITRATION SHALL BE FINAL AND BINDING ON THE MAYOR AND CITY COUNCIL OF BALTIMORE AND ON THE CERTIFIED EMPLOYEE ORGANIZATIONS INVOLVED IN THE PROCEEDINGS. NO APPEAL OF THE DECISION SHALL BE ALLOWED. THE DECISION CONSTITUTES A MANDATE TO THE MAYOR OF BALTIMORE CITY WITH RESPECT TO THE MATTERS THAT CAN BE REMEDIED ADMINISTRATIVELY BY THE MAYOR AND A MANDATE TO THE BOARD OF ESTIMATES AND THE CITY COUNCIL WITH RESPECT TO THE MATTERS WHICH REQUIRE LEGISLATIVE ACTION NECESSARY TO IMPLEMENT THE DECISION OF THE BOARD OF ARBITRATION.

2. WITH RESPECT TO MATTERS THAT REQUIRE LEGISLATIVE ACTION FOR IMPLEMENTATION, THE LEGISLATION SHALL BE ENACTED WITHIN 45 DAYS FOLLOWING THE DATE OF THE ARBITRATION DECISION.

3. WITH RESPECT TO SALARIES AND WAGE SCALES, THE AMOUNTS DETERMINED BY THE FINAL DECISION OF THE BOARD OF ARBITRATION SHALL BE INCLUDED IN THE PROPOSED ORDINANCE OF ESTIMATES IN ACCORDANCE WITH ARTICLE VI, § 5 OF THE BALTIMORE CITY CHARTER, MAY NOT BE REDUCED BY THE CITY COUNCIL IN ACCORDANCE WITH ARTICLE VI, § 7 OF THE BALTIMORE CITY CHARTER, AND SHALL BE ADOPTED BY THE BOARD OF ESTIMATES AS THE SALARY AND WAGE SCALES FOR EMPLOYEES OF THE POLICE DEPARTMENT IN ACCORDANCE WITH ARTICLE VI, § 9 OF THE BALTIMORE CITY CHARTER.

(X) THE COST OF THE ARBITRATION PROCEEDINGS, INCLUDING THE COST FOR A COURT REPORTER, PROVIDED UNDER THIS PARAGRAPH SHALL BE PAID EQUALLY BY THE PARTIES INVOLVED.

(c) This section shall be construed to be consistent with and not to supersede other provisions of this subtitle, including, by way of illustration and not as a limitation:

(1) The provisions of this subtitle regarding the departmental budget; and

(2) The procedures or authority of the Board of Estimates, or the City Council.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 19, 2011.

Chapter 601

(House Bill 807)

AN ACT concerning

Labor and Employment – Health Care Personnel Training Fund

FOR the purpose of establishing the Health Care Personnel Training Fund as a special fund to be used to provide grants to certain training consortiums; and generally relating to the Health Care Personnel Training Fund.

BY adding to
Article – Labor and Employment
Section 11–1015
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Labor and Employment

11–1015.

(A) IN THIS SECTION, "FUND" MEANS THE HEALTH CARE PERSONNEL TRAINING FUND.

(B) THERE IS A HEALTH CARE PERSONNEL TRAINING FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO TRAINING CONSORTIUMS THAT INVOLVE LABOR–MANAGEMENT PARTNERSHIPS THAT TRAIN AND UPGRADE THE QUALIFICATIONS OF HEALTH CARE PERSONNEL.

(D) THE ~~PRESIDENT OF THE BOARD~~ *DEPARTMENT* SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND ~~CONSISTS~~ *SHALL CONSIST SOLELY* OF:

(1) ~~MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND~~ MONEY RECEIVED FROM THE FEDERAL GOVERNMENT; *AND*

(2) INVESTMENT EARNINGS OF THE FUND~~; AND~~

~~(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND, EXCEPT STATE MONEY~~.

(G) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO TRAINING CONSORTIUMS THAT INVOLVE LABOR–MANAGEMENT PARTNERSHIPS THAT TRAIN AND UPGRADE THE QUALIFICATIONS OF HEALTH CARE PERSONNEL.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND*:*

(1)* MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET*; AND

***(2) SHALL BE MADE IN CONSULTATION WITH THE GOVERNOR'S WORKFORCE INVESTMENT BOARD*.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 602

(House Bill 826)

AN ACT concerning

Carroll County – Abatement of Nuisances

FOR the purpose of altering the number of days' advance notice the County Commissioners of Carroll County must give to an owner or occupant of property before removing a certain nuisance or menace; authorizing a property owner or occupant to file an appeal of a certain determination that a nuisance or menace exists to a certain hearing officer or board of appeals within a certain time after receiving notice of the determination under certain circumstances; requiring a hearing officer or board of appeals to hold a certain hearing and issue a certain written decision on the determination of the existence of a nuisance or menace within a certain period of time after receiving an appeal; providing that a decision of a hearing officer or board of appeals that a nuisance or menace to public health or safety exists for certain reasons is final and binding; altering a provision that limits the removal of weeds on certain property to the removal of weeds on land that is within a certain number of feet from the boundary with residential property and that is used for certain purposes; defining certain terms; making conforming changes; and generally relating to the abatement of nuisances in Carroll County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3–106
Article 7 – Public Local Laws of Maryland
(2004 Edition and July 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 7 – Carroll County

3–106.

(a) **(1)** In this section**[,] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) (I) "BONA FIDE AGRICULTURAL PURPOSE" MEANS THE USE OF LAND FOR ACTIVE AGRICULTURAL PRODUCTION.

(II) "BONA FIDE AGRICULTURAL PURPOSE" INCLUDES THE USE OF LAND FOR:

1. ACTIVE PLOWING, TILLAGE, CROPPING, SEEDING, CULTIVATING, OR HARVESTING OF FOOD, FIBER PRODUCTS, OR SIMILAR PRODUCTS;

2. GROWING SOD PRODUCTS, CHRISTMAS TREES, OR OTHER NURSERY PRODUCTS;

3. ACTIVE GRAZING OR RAISING OF LIVESTOCK;

4. AQUACULTURE;

5. BEE PRODUCTION; AND

6. ORCHARDS.

(3) "Notice" means delivering to the owner or occupant of property a written order to abate.

(4) "RESIDENTIAL PROPERTY" MEANS ANY LOT OR PARCEL OCCUPIED BY A DWELLING WHERE THE DWELLING AREA OR CURTILAGE IS WITHIN 500 FEET OF THE BOUNDING PROPERTY LINE.

(b) (1) The County Commissioners may remove any nuisance or menace to the public health or safety arising from the growth of weeds, the accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material after **[**10**] 15** days' advance notice to the owner or occupant of the property upon which the nuisance or menace is found.

(2) **[**The**] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, THE** growth of weeds may not constitute a nuisance or menace if **[**the**]:**

(I) THE land on which the weeds are growing is being used for a bona fide agricultural purpose**;** or **[**if the**]**

(II) THE land is owned by the County and is specifically designated as a natural regeneration project area.

(3) (i) Notice may be given by personal service or by mail.

(ii) If the written order is delivered by mail, notice is effective at the end of the known fifth day after its deposit in the mail to the last known address of the owner or occupant of the property concerned.

(4) If both the owner and occupant of property on which a nuisance or menace is found have been notified of a violation of this subsection more than two times within a 12–month period:

(i) The continuing growth of weeds, accumulation of refuse, presence of stagnant water, or presence of combustible material shall be considered an ongoing violation; and

(ii) **[**Additional**]** **EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, ADDITIONAL** notice is not required before the County may take action to abate the nuisance.

(5) (I) WITHIN 10 BUSINESS DAYS AFTER RECEIVING NOTICE OF A DETERMINATION THAT A NUISANCE OR MENACE EXISTS, THE PROPERTY OWNER OR OCCUPANT MAY FILE AN APPEAL OF THE NUISANCE OR MENACE DETERMINATION TO A HEARING OFFICER OR BOARD OF APPEALS APPOINTED BY THE COUNTY COMMISSIONERS.

(II) WITHIN 5 DAYS AFTER RECEIVING THE APPEAL, THE HEARING OFFICER OR BOARD OF APPEALS SHALL HOLD A HEARING AND ISSUE A WRITTEN DECISION THAT AFFIRMS, MODIFIES, OR OVERTURNS THE DETERMINATION OF THE EXISTENCE OF A NUISANCE OR MENACE.

(III) THE DECISION OF THE HEARING OFFICER OR BOARD OF APPEALS REGARDING THE DETERMINATION OF THE EXISTENCE OF A NUISANCE OR MENACE SHALL BE FINAL AND BINDING.

(c) If the County Commissioners remove any nuisance or menace to the public health or safety as described in subsection (b), the reasonable costs of the removal shall be assessed against the property as a special tax.

(d) A property owner aggrieved by the assessment of a special tax against his property, as provided in this section, may petition the County Commissioners for relief. Upon the receipt of a petition, the County Commissioners shall conduct a hearing within 30 days of the receipt to determine the propriety and reasonableness of the assessment. At the hearing, the burden shall be upon the petitioner to show good cause why the assessment should not be made. The assessment shall be added to the annual tax bill against the property to be collected in the same manner as ordinary taxes are collected and subject to the same interest and penalty for nonpayment, as provided by law for the nonpayment of county taxes. The special tax shall constitute a lien against the property from the date of assessment until paid.

(e) For properties [larger than 1 acre] **USED FOR BONA FIDE AGRICULTURAL PURPOSES**, removal of weeds, as contemplated by this section, shall be limited to the removal of any weeds [within] **ON LAND THAT IS:**

(1) WITHIN 50 feet of the nearest property lines bounding [the] **A RESIDENTIAL** property [on which the weeds are found to constitute a nuisance or menace to the public health or safety]**; AND**

(2) (I) USED FOR A BUFFER, A FENCE LINE, OR FALLOW GROUND; OR

(II) NOT PART OF AN AREA USED FOR ACTIVE AGRICULTURAL PRODUCTION.

(f) The determination by the County Health Officer that a nuisance or menace to the public health or safety exists by reason of the growth of weeds, accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material shall [be final and] constitute prima facie proof that the nuisance or menace exists. It shall be the duty of the County Health Officer to investigate all complaints of a nuisance or menace to the public health or safety, as described in this section.

(g) If for any reason the County Health Officer refuses or fails to investigate a complaint of nuisance due to the growth of weeds, the County may investigate the complaint and may, on a determination that the vegetation is lawn or weeds and is at or exceeds a height of 12 inches, determine the growth to be weeds which constitute a nuisance under the provisions of this section.

(h) Lands that are enrolled in a State or Federal program that removes the land from crop production for a specified period of time and that has caused the lands to be established and maintained in plant cover to conserve soil, improve wildlife habitat, or serve other public benefit purposes may not be determined to have on them the growth of weeds for purposes of this section. The responsibility for undesirable plant control of these lands shall be that of the State or Federal agency administering the applicable program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 603

(House Bill 837)

AN ACT concerning

Courts – Exemption from Execution – Exception for Child Support Arrearage

FOR the purpose of creating a certain exception to an exemption from execution on a judgment by establishing that a certain percentage of ~~money payable in the event of sickness, accident, injury, or death of a person is subject to garnishment for payment of~~ *the net recovery by a debtor on a claim for personal injury is subject to execution on a judgment for* a child support arrearage; *defining "net recovery";* and generally relating to an exception to an exemption from execution for a child support arrearage.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–504(b)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 11–504(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

11–504.

(b) The following items are exempt from execution on a judgment:

(2) **[**Money**]** **EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, MONEY** payable in the event of sickness, accident, injury, or death of any person, including compensation for loss of future earnings. This exemption includes but is not limited to money payable on account of judgments, arbitrations, compromises, insurance, benefits, compensation, and relief. Disability income benefits are not exempt if the judgment is for necessities contracted for after the disability is incurred.

~~**(I) TWENTY–FIVE PERCENT OF MONEY DESCRIBED IN SUBSECTION (B)(2) OF THIS SECTION IS SUBJECT TO GARNISHMENT FOR PAYMENT OF A CHILD SUPPORT ARREARAGE.**~~

(I) (1) IN THIS SUBSECTION, "NET RECOVERY" MEANS THE SUM OF MONEY TO BE DISTRIBUTED TO THE DEBTOR AFTER DEDUCTION OF ATTORNEY'S FEES, EXPENSES, MEDICAL BILLS, AND SATISFACTION OF ANY LIENS OR SUBROGATION CLAIMS ARISING OUT OF THE CLAIMS FOR PERSONAL INJURY, INCLUDING THOSE ARISING UNDER:

(I) THE MEDICARE SECONDARY PAYER ACT, 42 U.S.C. § 1395Y;

(II) A PROGRAM OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR WHICH A RIGHT OF SUBROGATION EXISTS UNDER §§ 15–120 AND 15–121.1 OF THE HEALTH – GENERAL ARTICLE;

(III) AN EMPLOYEE BENEFIT PLAN SUBJECT TO THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974; OR

(IV) A HEALTH INSURANCE CONTRACT.

(2) TWENTY–FIVE PERCENT OF THE NET RECOVERY BY THE DEBTOR ON A CLAIM FOR PERSONAL INJURY IS SUBJECT TO EXECUTION ON A JUDGMENT FOR A CHILD SUPPORT ARREARAGE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 604

(House Bill 840)

AN ACT concerning

Children, Youth, and Families – Services to Children with Special Needs

FOR the purpose of altering a certain State policy relating to children and families; altering the membership of local management boards; altering the membership and chairmanship of the State Coordinating Council for Children; altering the duties of the Council; renaming local coordinating councils to be local care teams; altering the membership of local care teams; altering the duties of local care teams; providing for the administration of local care teams; providing for compensation for certain members of local care teams; altering and repealing certain definitions; defining certain terms; making certain conforming changes; and generally relating to services to children with special needs.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 8–101, 8–102, 8–302, 8–402, 8–403, 8–404, 8–405, 8–406, 8–408, and 8–409
Annotated Code of Maryland
(2007 Volume and 2010 Supplement)

BY repealing
Article – Human Services
Section 8–407
Annotated Code of Maryland
(2007 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Human Services

8–101.

(a) In this title the following words have the meanings indicated.

(b) (1) "Child in need of out–of–state placement" means a child who is recommended by a **[**unit represented on the local coordinating council**]** **PUBLIC AGENCY** for out–of–home placement outside of the State.

(2) "Child in need of out–of–state placement" does not include a child**:**

(I) placed in foster care, as defined in § 5–501 of the Family Law Article**; OR**

(II) WHO IS IN A HOSPITAL FOR 30 CONTINUOUS DAYS OR LESS.

(c) **[**"Child in need of residential placement" means a child:

(1) who is recommended by a member of the local coordinating council for residential placement;

(2) on whose behalf the member of the local coordinating council seeks State funding for the placement; and

(3) who a unit represented on the local coordinating council has determined meets eligibility criteria for a State–funded placement.

(d)**]** "Child with intensive needs" means a child who has behavioral, educational, developmental, or mental health needs that cannot be met through available public agency resources because:

(1) the child's needs exceed the resources of a single public agency; **[**and**] OR**

(2) there is no legally mandated funding source to meet the child's needs.

[(e)**] (D)** "Core service agency" means the designated county or multicounty authority that is responsible for planning, managing, and monitoring publicly funded mental health services as provided under Title 10, Subtitle 12 of the Health – General Article.

[(f)**] (E)** "Council" means the State Coordinating Council for Children.

[(g)**] (F)** "Executive Director" means the Executive Director of the Governor's Office for Children.

(G) (1) "FAMILY" MEANS AN ELIGIBLE CHILD'S NATURAL, ADOPTIVE, OR FOSTER PARENTS.

(2) "FAMILY" INCLUDES:

(I) A GUARDIAN;

(II) A PERSON ACTING AS A PARENT OF A CHILD; AND

(III) A RELATIVE OR STEPPARENT WITH WHOM A CHILD LIVES.

(h) **[**"Lead agency" means the local government unit identified by federal or State law or by the local coordinating council as responsible for the oversight and implementation of a plan of care for a child in need of residential placement or a child with intensive needs.**] "HOSPITAL" HAS THE MEANING STATED IN § 19–301 OF THE HEALTH – GENERAL ARTICLE.**

(i) **[**"Local coordinating council" means a local council that coordinates services for children in need of residential placement and children with intensive needs.

(j)**]** "Local management board" means an entity established or designated by a county under Subtitle 3 of this title to ensure the implementation of a local, interagency service delivery system for children, youth, and families.

[(k)**] (J)** "Office" means the Governor's Office for Children.

[(l)**] (K)** "Public agency" means a State or local government unit or a quasi–governmental entity.

[(m)**] (L)** (1) "Residential child care program" means an entity that provides 24–hour per day care for children within a structured set of services and activities that are designed to achieve specific objectives relative to the needs of the children served and that include the provision of food, clothing, shelter, education, social services, health, mental health, recreation, or any combination of these services and activities.

(2) "Residential child care program" includes a program:

(i) licensed by:

1. the Department of Health and Mental Hygiene;

2. the Department of Human Resources; or

3. the Department of Juvenile Services; and

(ii) that is subject to the licensing regulations of the members of the Children's Cabinet governing the operations of residential child care programs.

[(n) (1) "Residential placement" means a placement in:

(i) a hospital, under circumstances described in Children's Cabinet regulations;

(ii) a residential treatment center;

(iii) a residential school; or

(iv) another out–of–home placement as specified in Children's Cabinet regulations.

(2) "Residential placement" does not include a placement in:

(i) a facility established under § 9–226 of this article; or

(ii) foster care, as defined in § 5–501 of the Family Law Article.**]**

8–102.

(A) It is the policy of the State to promote a stable, safe, and healthy environment for children and families **THAT PROVIDES ACCESS TO NECESSARY SERVICES AND SUPPORTS IN THE LEAST RESTRICTIVE, MOST APPROPRIATE, AND MOST EFFECTIVE ENVIRONMENT POSSIBLE**, thereby increasing self–sufficiency and family preservation**[,]**.

(B) THIS POLICY SHALL BE ACHIEVED through a comprehensive and coordinated interagency approach that:

(1) **IS FAMILY–DRIVEN, CHILD–GUIDED, HOME– AND COMMUNITY–BASED, CULTURALLY AND LINGUISTICALLY COMPETENT, INDIVIDUALIZED, AND EFFECTIVE;**

(2) provides a continuum of care **[**that is family– and child–oriented and emphasizes**], OPPORTUNITIES, AND SUPPORTS THAT EMPHASIZE** prevention, early intervention, and community–based services**, AS WELL AS NATURAL SUPPORTS**; **[**and**]**

[(2)**] (3)** gives priority to children and families most at risk**; AND**

(4) ENGAGES AND EMPOWERS FAMILIES AND CHILDREN SO THAT, TO THE EXTENT POSSIBLE, THEY WILL BE WELL–REPRESENTED IN EVERY FACET OF THE CHILD–FAMILY SERVING SYSTEM AND PARTNERS IN THEIR OWN CARE PLANNING.

8–302.

A local management board may be composed of:

(1) public and private community representatives who share the responsibility for implementing a community–based, interagency, family–focused service delivery system for children, youth, and families; **[**and**]**

(2) a senior representative or department head of the:

(i) local health department;

(ii) local office of the Department of Juvenile Services;

(iii) core service agency;

(iv) local school system; and

(v) local department of social services**;**

(3) FAMILY MEMBERS OR FAMILY ADVOCATES; AND

(4) YOUTH OR YOUTH ADVOCATES.

8–402.

(A) The Council consists of the following members:

(1) the Executive Director of the Governor's Office for Children, or the Executive Director's designee;

[(2) the Secretary of Budget and Management, or the Secretary's designee;

(3) the Secretary of Disabilities, or the Secretary's designee;**]**

[(4)**] (2)** the Secretary of Juvenile Services, or the Secretary's designee;

[(5)**] (3)** the Secretary of Health and Mental Hygiene, or the Secretary's designee;

[(6)**] (4)** the Secretary of Human Resources, or the Secretary's designee; **AND**

[(7)**] (5)** the State Superintendent of Schools, or the Superintendent's designee**[**; and

(8) a parent, parent advocate, or both, appointed by the Governor**]**.

(B) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE SECRETARY'S DESIGNEE, SHALL SERVE AS A NONVOTING EX OFFICIO COUNCIL MEMBER.

(C) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S DESIGNEE, SHALL SERVE AS A NONVOTING EX OFFICIO COUNCIL MEMBER.

(D) THE CHILDREN'S CABINET SHALL DESIGNATE UP TO THREE INDIVIDUALS TO SERVE ON THE COUNCIL ON A ROTATING BASIS TO REPRESENT EACH OF THE FOLLOWING STAKEHOLDER GROUPS:

(1) FAMILY MEMBERS OR FAMILY ADVOCATES; AND

(2) YOUTH OR YOUTH ADVOCATES.

8–403.

(a) (1) The office of chair of the Council shall rotate annually among the members of the Council **APPOINTED UNDER § 8–402(A) OF THIS SUBTITLE, IN THE ORDER LISTED IN THAT SUBSECTION**.

(2) The term of the chair is 1 year.

[(3) A member from a unit represented on the Council may not serve as chair more than once every 5 years.**]**

(b) The Office shall provide staff support for the Council.

8–404.

[(a)**]** The Council shall **ADDRESS THE POPULATION OF CHILDREN WHO ARE IN OUT–OF–STATE PLACEMENTS OR ARE RECOMMENDED FOR OUT–OF–STATE PLACEMENTS, INCLUDING**:

(1) **[**establish and oversee the local coordinating council in each county;

(2) develop procedures for the operation of local coordinating councils;

(3) review periodically the procedures of local coordinating councils for making decisions on residential placement for children in need of residential placement;

(4) review**]** **REVIEWING** recommendations for State funding of the individual placement of a child in need of out–of–state placement;

[(5) monitor local coordinating councils to ensure that the local coordinating councils consider all alternatives for the provision of services to children and their families in the community;

(6) establish and maintain a multiple unit information system to ensure accountability and provide State service planning capability;

(7)**] (2)** **[**coordinate evaluations of**] COORDINATING THE MONITORING OF OUT–OF–STATE** residential facilities for children as required by statute;

(3) TRACKING THE TYPES, COSTS, AND EFFECTIVENESS OF SERVICES REQUIRED TO MEET THE NEEDS OF CHILDREN WHO ARE RECOMMENDED FOR OUT–OF–STATE PLACEMENTS;

(4) PROVIDING TRAINING AND TECHNICAL ASSISTANCE TO LOCAL AGENCY AND COMMUNITY PARTNERS;

[(8)**] (5)** **[**make**] MAKING** recommendations to the appropriate secretary on the development of regulations to carry out this subtitle; and

[(9)**] (6)** **[**perform**] PERFORMING** other related activities that the Children's Cabinet identifies.

[(b) The Council shall:

(1) plan and coordinate with the local coordinating councils:

(i) multiple unit services to children in need of residential placement; and

(ii) enhanced services to children with intensive needs, subject to the availability of funding and in accordance with a plan developed by the Children's Cabinet; and

(2) in cooperation with the local coordinating councils, monitor services provided to children placed in residential placements.**]**

8–405.

There is a local **[**coordinating council**] CARE TEAM** in each county.

8–406.

(a) Each local **[**coordinating council**] CARE TEAM** shall include:

(1) at least one representative from:

(i) the Department of Juvenile Services;

(ii) the Developmental Disabilities Administration;

(iii) the Alcohol and Drug Abuse Administration;

(iv) the Mental Hygiene Administration or the local core service agency;

(v) the local [board of education] **SCHOOL SYSTEM**;

(vi) the local health department;

(vii) the local department of social services; and

(viii) the local management board;

(2) a parent, parent advocate, or both, appointed by the chair of the local [coordinating council] **CARE TEAM** in consultation with the child advocacy community; and

(3) a nonvoting representative of the local office of the division of rehabilitative services to represent individuals who are 16 years old and older.

(b) [The Council] **EACH LOCAL CARE TEAM** shall establish the terms of [the] **ITS** members [of the local coordinating councils].

(c) Each local [coordinating council] **CARE TEAM** shall select its chair from among its members for a designated term of office.

(D) ~~**THE ADMINISTRATIVE FUNCTIONS OF EACH CARE TEAM SHALL ROTATE AMONG ITS MEMBERS**~~ **EACH LOCAL CARE TEAM:**

(1) SHALL DETERMINE WHICH OF ITS MEMBERS WILL HAVE RESPONSIBILITY FOR ITS ADMINISTRATIVE FUNCTIONS; AND

(2) IF TWO OR MORE MEMBERS WILL SHARE THE RESPONSIBILITY, SHALL DETERMINE THE ROTATION OF THE ADMINISTRATIVE FUNCTIONS.

(E) SUBJECT TO THE AVAILABILITY OF FUNDS, A PARENT OR PARENT ADVOCATE WHO IS A MEMBER OF A LOCAL CARE TEAM MAY RECEIVE:

(1) THE COMPENSATION PROVIDED IN THE STATE OR LOCAL BUDGET; AND

(2) REIMBURSEMENT FOR EXPENSES, IN ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.

[8–407.

(a) (1) A local coordinating council shall be part of the local management board for administrative and budgetary purposes.

(2) The local coordinating council shall be independent of the local management board in its decisions regarding individual plans of care for children and policy recommendations regarding services to children.

(b) Subject to the availability of funding, the local management board shall provide administrative staff and support to the local coordinating council.**]**

[8–408.**] 8–407.**

[(a)**]** A local **[**coordinating council**]** **CARE TEAM** shall:

[(1) accept placement referrals from the units represented on the local coordinating council;

(2) review recommendations for the residential placement of children referred to the local coordinating council in accordance with subsection (b) of this section;

(3) provide an interagency plan of care for residential placement or appropriate, alternative, community–based services for a child;

(4) consistent with regulations adopted by the Children's Cabinet, submit recommended plans of care to the Council; and

(5) assist the unit primarily responsible for a child's care in implementing and monitoring the residential placement of the child.**]**

(1) BE A FORUM FOR:

(I) FAMILIES OF CHILDREN WITH INTENSIVE NEEDS TO RECEIVE ASSISTANCE WITH THE IDENTIFICATION OF INDIVIDUAL NEEDS AND POTENTIAL RESOURCES TO MEET IDENTIFIED NEEDS; AND

(II) INTERAGENCY DISCUSSIONS AND PROBLEM SOLVING FOR INDIVIDUAL CHILD AND FAMILY NEEDS AND SYSTEMIC NEEDS;

(2) REFER CHILDREN AND FAMILIES TO:

(I) CARE MANAGEMENT ENTITIES WHEN APPROPRIATE; AND

(II) AVAILABLE LOCAL AND COMMUNITY RESOURCES;

(3) PROVIDE TRAINING AND TECHNICAL ASSISTANCE TO LOCAL AGENCY AND COMMUNITY PARTNERS;

(4) IDENTIFY AND SHARE RESOURCE DEVELOPMENT NEEDS AND COMMUNICATE WITH THE CARE MANAGEMENT ENTITY, LOCAL CORE SERVICE AGENCIES, PROVIDER NETWORKS, LOCAL MANAGEMENT BOARDS, AND OTHER LOCAL CARE TEAMS IN SURROUNDING JURISDICTIONS; AND

(5) DISCUSS A REQUEST FOR A VOLUNTARY PLACEMENT AGREEMENT FOR A CHILD WITH A DEVELOPMENTAL DISABILITY OR A MENTAL ILLNESS UNDER § 5–525 OF THE FAMILY LAW ARTICLE.

[(b) A local coordinating council shall:

(1) review residential placements recommended in accordance with the federal Individuals with Disabilities Education Act or federal Medicaid requirements, to provide technical assistance to the lead agency regarding the availability of community–based resources to serve the child in the least restrictive environment determined to be appropriate by the lead agency;

(2) review and approve other recommended residential placements; and

(3) review recommended out–of–state placements and refer the recommendations to the Council.

(c) Consistent with applicable federal and State laws, the Council and the local coordinating council shall develop and implement plans of care for the residential placement of children in need of residential placement and children in need of out–of–state placement.**]**

[8–409.**] 8–408.**

(a) A parent or guardian of a child and the child's attorney may attend any meeting of the Council or the local **[**coordinating council**] CARE TEAM** at which the child's **[**residential**]** ~~**OUT–OF–STATE placement**~~ **CARE** is discussed.

(b) At least 10 days before the meeting, the Council or local **[**coordinating council**] CARE TEAM** shall notify each parent or guardian of the child and the child's attorney of the date, time, and location of any meeting the Council or the local **[**coordinating council**] CARE TEAM** plans to hold to discuss the child's **[**residential**] OUT–OF–STATE** placement.

(c) The Council or the local **[**coordinating council**]** **CARE TEAM** shall notify each parent or guardian of the child and the child's attorney in writing of:

(1) any decision the Council or local **[**coordinating council**]** **CARE TEAM** makes concerning the child's **[**residential**]** **OUT–OF–STATE** placement; and

(2) the right of the parent, guardian, or attorney to appeal a decision made by the Council or the local **[**coordinating council**]** **CARE TEAM** concerning the child's **[**residential**]** **OUT–OF–STATE** placement.

Article – Family Law

5–525.

(b) (1) The Administration shall establish a program of out–of–home placement for minor children:

(i) who are placed in the custody of a local department, for a period of not more than 180 days, by a parent or legal guardian under a voluntary placement agreement;

(ii) who are abused, abandoned, neglected, or dependent, if a juvenile court:

1. has determined that continued residence in the child's home is contrary to the child's welfare; and

2. has committed the child to the custody or guardianship of a local department; or

(iii) who, with the approval of the Administration, are placed in an out–of–home placement by a local department under a voluntary placement agreement subject to paragraph (2) of this subsection.

(2) (i) A local department may not seek legal custody of a child under a voluntary placement agreement if the child has a developmental disability or a mental illness and the purpose of the voluntary placement agreement is to obtain treatment or care related to the child's disability that the parent is unable to provide.

(ii) A child described in subparagraph (i) of this paragraph may remain in an out–of–home placement under a voluntary placement agreement for more than 180 days if the child's disability necessitates care or treatment in the out–of–home placement and a juvenile court makes a finding that continuation of the placement is in the best interests of the child.

(iii) Each local department shall designate, from existing staff, a staff person to administer requests for voluntary placement agreements for children with developmental disabilities or mental illnesses.

(iv) Each local department shall report annually to the Administration on the number of requests for voluntary placement agreements for children with developmental disabilities or mental illnesses that have been received, the outcome of each request, and the reason for each denial.

(v) On receipt of a request for a voluntary placement agreement for a child with a developmental disability or a mental illness, a local department shall discuss the child's case at the next meeting of the local **[**coordinating council**]** **CARE TEAM** for the purpose of determining whether any alternative or interim services for the child and family may be provided by any agency.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 605

(House Bill 869)

AN ACT concerning

Education – Maintenance of Effort – Penalty

FOR the purpose of making the imposition of a penalty for a county's noncompliance with certain maintenance of effort provisions for funding public education applicable in a certain fiscal year; ~~waiving the maintenance of effort penalty for a certain fiscal year;~~ providing for the application of this Act; and generally relating to the maintenance of effort penalty.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–213
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

Preamble

WHEREAS, The process for waiving the maintenance of effort requirement was established in 1996 and no county had applied for a waiver under that process until fiscal year 2010; and

WHEREAS, When the maintenance of effort waiver process was used for the first time in fiscal year 2010, numerous policy issues were identified, including the lack of clarity in the factors used to guide the decision of the State Board of Education whether to grant a waiver; and

WHEREAS, Significant policy issues were also identified regarding the appropriate penalty for not meeting the maintenance of effort requirement; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

5–213.

(a) After notification from the State Superintendent that a county is not complying with the provisions of the State program of public education, the State Comptroller shall withhold any installment due the county from the General State School Fund.

(b) (1) If the Superintendent finds that a county is not complying with the maintenance of local effort provisions of § 5–202 of this subtitle or that a county fails to meet the requirements of Subtitle 4 of this title, the Superintendent shall notify the county of such noncompliance.

(2) If a county disputes the finding within 30 days of the issuance of such notice, the dispute shall be promptly referred to the State Board of Education which shall make a final determination.

(3) Upon receipt of certification of noncompliance by the Superintendent or the State Board, as the case may be, the Comptroller shall suspend, until notification of compliance is received**:**

(I) FOR NONCOMPLIANCE WITH SUBTITLE 4 OF THIS TITLE, payment of any funds due the county for the current fiscal year, as provided under § 5–202 of this subtitle which are appropriated in the General State School Fund, to the extent that the State's aid due the county in the current fiscal year under that section in the Fund exceeds the amount which the county received in the prior fiscal year**; AND**

(II) FOR NONCOMPLIANCE WITH § 5–202(D) OF THIS SUBTITLE, PAYMENT OF ANY FUNDS DUE THE COUNTY FOR THE FOLLOWING FISCAL YEAR, AS PROVIDED UNDER § 5–202 OF THIS SUBTITLE, WHICH ARE APPROPRIATED IN THE GENERAL STATE SCHOOL FUND, IN THE AMOUNT THAT

THE STATE'S AID DUE THE COUNTY IN THE CURRENT FISCAL YEAR UNDER THAT SECTION IN THE FUND EXCEEDED THE AMOUNT THAT THE COUNTY RECEIVED IN THE PRIOR FISCAL YEAR.

~~SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2011 only, the penalty provision under § 5–213 of the Education Article may not be applied to any State aid increase provided under § 5–202 of the Education Article.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to any penalty that would otherwise be imposed for not meeting the maintenance of effort requirement in fiscal year 2011.~~

SECTION ~~4.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 606

(House Bill 897)

AN ACT concerning

Engine Coolant and Antifreeze Bittering Agent Act

FOR the purpose of prohibiting a person from selling or offering for sale any engine coolant or antifreeze that ~~is manufactured after a certain date and~~ contains more than a certain percentage of ethylene glycol unless the coolant or antifreeze contains a certain amount of denatonium benzoate; ~~granting immunity from liability to persons that manufacture, process, distribute, recycle, or sell engine coolant or antifreeze with denatonium benzoate in accordance with this Act, except under certain circumstances;~~ providing that this Act does not apply to certain engine coolant or antifreeze sales; establishing a certain penalty for violation of this Act; providing for a delayed effective date; *providing for the termination of this Act, subject to a certain contingency;* and generally relating to the sale of engine coolant and antifreeze.

BY adding to
Article – Health – General
Section 22–601 to be under the new subtitle "Subtitle 6. Engine Coolant and Antifreeze Bittering Agent Act"
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

SUBTITLE 6. ENGINE COOLANT AND ANTIFREEZE BITTERING AGENT ACT.

22–601.

(A) ~~**THIS SECTION APPLIES TO ENGINE COOLANT OR ANTIFREEZE THAT IS MANUFACTURED AFTER JANUARY 1, 2012.**~~

~~**(B)**~~ **A PERSON MAY NOT SELL OR OFFER TO SELL ANY ENGINE COOLANT OR ANTIFREEZE THAT CONTAINS MORE THAN 10% ETHYLENE GLYCOL UNLESS THE COOLANT OR ANTIFREEZE INCLUDES NOT LESS THAN 30 PARTS PER MILLION NOR MORE THAN 50 PARTS PER MILLION DENATONIUM BENZOATE.**

~~**(B)**~~ ~~**(C)**~~ **(B)** ~~**(1) A PERSON THAT MANUFACTURES, PROCESSES, DISTRIBUTES, RECYCLES, OR SELLS ANY ENGINE COOLANT OR ANTIFREEZE IN ACCORDANCE WITH SUBSECTION (A) (B) (A) OF THIS SECTION IS NOT LIABLE FOR ANY PERSONAL INJURY, DEATH, PROPERTY DAMAGE, DAMAGE TO THE ENVIRONMENT OR NATURAL RESOURCES, OR ECONOMIC LOSS THAT RESULTS FROM THE INCLUSION OF DENATONIUM BENZOATE IN THE ENGINE COOLANT OR ANTIFREEZE.**~~

~~**(2) THE LIMITATION ON LIABILITY IN THIS SUBSECTION DOES NOT PROVIDE TO ANY PERSON IMMUNITY FROM LIABILITY FOR DAMAGES THAT ARE UNRELATED ARE:**~~

~~**(I) UNRELATED TO THE INCLUSION OF DENATONIUM BENZOATE IN ANY ENGINE COOLANT OR ANTIFREEZE IN ACCORDANCE WITH SUBSECTION (A) (B) (A) OF THIS SECTION; OR**~~

~~**(II) RELATED TO GROSS NEGLIGENCE OR WILLFUL OR WANTON MISCONDUCT BY THE PERSON.**~~

~~**(C)**~~ ~~**(D)**~~ ~~**(C)**~~ **THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE SALE OF:**

(1) A MOTOR VEHICLE THAT CONTAINS ENGINE COOLANT OR ANTIFREEZE AT THE TIME OF SALE;

(2) A WHOLESALE CONTAINER OF ENGINE COOLANT OR ANTIFREEZE DESIGNED TO CONTAIN 55 GALLONS OR MORE OF ENGINE COOLANT OR ANTIFREEZE;

(3) ENGINE COOLANT OR ANTIFREEZE REFORMULATED THROUGH ON–SITE RECYCLING; OR

(4) ENGINE COOLANT OR ANTIFREEZE PURCHASED IN ACCORDANCE WITH MILITARY SPECIFICATIONS.

~~(D)~~ ~~(E)~~ ~~(D)~~ *(C)* **(1) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING $100.**

(2) EACH DAY THAT A VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That, if any federal or State agency determines that denatonium benzoate is unsuitable for use due to a danger that it poses to persons, property, or the environment, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect. The Department of Health and Mental Hygiene shall notify the Department of Legislative Services within 5 days after receiving notice of the federal or State agency determination described under this section.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 2011~~ January 1, 2012.

Approved by the Governor, May 19, 2011.

Chapter 607

(House Bill 941)

AN ACT concerning

Dining Out Growth Act of 2011

FOR the purpose of authorizing certain restaurants to allow a patron's dog to accompany the patron in certain areas of the restaurant during certain hours; requiring certain restaurant owners to give certain notice to local health departments under certain circumstances; authorizing certain restaurant owners to make certain determinations and establish certain limitations; requiring certain restaurant owners to post a certain notice; prohibiting certain

patrons from allowing dogs to travel through certain areas and leaving dogs unattended under certain circumstances; requiring certain patrons to be responsible for certain dogs; establishing certain liability for certain patrons under certain circumstances; providing that a certain provision of law does not affect certain rights of an individual; ~~requiring certain organizations to report to certain committees of the General Assembly on or before a certain date;~~ and generally relating to authorizing restaurants with outdoor dining areas to allow a patron's dog to accompany the patron.

BY adding to
Article – Health – General
Section 21–304.2
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

21–304.2.

(A) A RESTAURANT WITH AN OUTDOOR DINING AREA MAY ALLOW A PATRON'S DOG TO ACCOMPANY THE PATRON IN THE OUTDOOR DINING AREA DURING THE HOURS DESIGNATED BY THE OWNER OF THE RESTAURANT.

(B) THE OWNER OF A RESTAURANT:

(1) SHALL PROVIDE WRITTEN NOTICE TO THE LOCAL HEALTH DEPARTMENT THAT THE OWNER INTENDS TO ALLOW A PATRON'S DOG TO ACCOMPANY THE PATRON IN THE OUTDOOR DINING AREA OF THE RESTAURANT NOT LESS THAN 30 DAYS PRIOR TO THE DAY ON WHICH DOGS WILL BE ALLOWED IN THE OUTDOOR DINING AREA;

(2) MAY DETERMINE THE LOCATION AND THE AMOUNT OF SPACE IN THE OUTDOOR DINING AREA DESIGNATED FOR A PATRON ACCOMPANIED BY A DOG;

(3) MAY ESTABLISH LIMITS ON THE SIZE AND TYPE OF DOGS AND ANY OTHER LIMITATIONS RELATING TO DOGS THAT MAY ACCOMPANY A PATRON INTO THE OUTDOOR DINING AREA OF A RESTAURANT;

(4) MAY DENY ENTRY TO THE RESTAURANT OR EJECT FROM THE RESTAURANT ANY PATRON ACCOMPANIED BY A DOG AT THE DISCRETION OF THE OWNER; AND

(5) SHALL PLACE ON PERMANENT DISPLAY A WRITTEN NOTICE THAT IS IN A TYPEFACE THAT IS LARGE ENOUGH TO BE EASILY LEGIBLE TO THE AVERAGE PERSON FROM A DISTANCE OF 8 FEET AND THAT IS IN A LOCATION THAT IS PLAINLY VISIBLE TO THE PATRONS OF THE RESTAURANT NOTIFYING THE PATRONS OF THE POLICY OF THE RESTAURANT ALLOWING DOGS IN THE OUTDOOR DINING AREA.

(C) A PATRON ACCOMPANIED BY A DOG:

(1) MAY NOT ALLOW THE DOG TO TRAVEL THROUGH AN INDOOR SPACE OF A RESTAURANT TO ENTER OR EXIT AN OUTDOOR DINING AREA;

(2) SHALL KEEP THE DOG ON A LEASH AT ALL TIMES WITH THE PATRON AT THE TABLE AT WHICH THE PATRON IS SEATED;

(3) MAY NOT LEAVE THE DOG UNATTENDED AT ANY TIME IN THE RESTAURANT;

(4) SHALL BE AN ADULT WHO IS RESPONSIBLE FOR THE BEHAVIOR OF THE DOG; AND

(5) IS LIABLE FOR ANY DAMAGES CAUSED BY THE DOG TO THE RESTAURANT OR ANY OTHER PATRON OF THE RESTAURANT.

(D) THIS SECTION DOES NOT AFFECT THE RIGHT OF AN INDIVIDUAL TO USE A SERVICE ANIMAL, AS DEFINED IN § 7–701 OF THE HUMAN SERVICES ARTICLE.

~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the Department of Health and Mental Hygiene and the Restaurant Association of Maryland shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the number of restaurants that have notified local health departments that dogs will be allowed in outdoor dining areas, the number and nature of complaints received by local health departments regarding dogs in outdoor dining areas of restaurants, the number and nature of sanitation issues regarding dogs in outdoor dining areas, and increases in the number of patrons at restaurants that allow dogs in outdoor dining areas.~~

SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 608

(House Bill 943)

AN ACT concerning

Boiler and Pressure Vessels – Special Inspector Commission – Insurance Requirements

FOR the purpose of requiring the Commissioner of Labor and Industry to establish by regulation insurance requirements that must be satisfied by an authorized inspection agency before a special inspector commission may be issued to an inspector employed by the agency; and generally relating to the inspection of boilers and pressure vessels.

BY renumbering
Article – Public Safety
Section 12–907(d) through (l), respectively
to be Section 12–907(e) through (m), respectively
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–907(a) and (c)
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–907(b)
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY adding to
Article – Public Safety
Section 12–907(d)
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 12–907(d) through (l), respectively, of Article – Public Safety of the Annotated Code of Maryland be renumbered to be Section(s) 12–907(e) through (m), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety

12–907.

(a) (1) The following entities may request the Commissioner to issue special inspector commissions:

(i) an authorized insurer that insures boilers and pressure vessels in the State; or

(ii) an authorized inspection agency.

(2) On request of an entity described in paragraph (1) of this subsection, the Commissioner may issue a special inspector commission to an individual employed by the entity to serve as a special inspector if the entity and the individual satisfy the requirements of this section.

(b) (1) An applicant for a special inspector commission shall be employed by the entity that requests the special inspector commission.

(2) An applicant for a special inspector commission shall:

(i) hold a commission as an inspector of boilers and pressure vessels issued by the National Board of Boiler and Pressure Vessel Inspectors; or

(ii) pass the examination given by the Board under subsection **[**(d)**] (E)** of this section.

(c) (1) The employer of an applicant for a special inspector commission shall:

(i) submit to the Commissioner an application on the form that the Commissioner requires; and

(ii) pay to the Commissioner a fee of $50.

(2) The application shall include:

(i) the name and qualifications of the individual who will serve as a special inspector; and

(ii) evidence that the individual satisfies the requirements of subsection (b) of this section.

(D) BY REGULATION, THE COMMISSIONER SHALL ESTABLISH INSURANCE REQUIREMENTS THAT AN AUTHORIZED INSPECTION AGENCY MUST SATISFY BEFORE A SPECIAL INSPECTOR COMMISSION MAY BE ISSUED TO AN INSPECTOR EMPLOYED BY THE AUTHORIZED INSPECTION AGENCY.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 609

(House Bill 1028)

AN ACT concerning

Financial Institutions – Automated Teller Machines – Video Cameras

FOR the purpose of requiring each operator of a certain automated teller machine to install and maintain a video camera that views and records ~~certain activity~~ *a certain image* of a user of the automated teller machine; requiring the operator to preserve the recordings made by the video camera for at least a certain number of days; ~~providing that a video camera need not record banking transactions made at an automated teller machine;~~ providing that an operator of a certain automated teller machine is not in violation of certain provisions of this Act under certain circumstances; providing that certain provisions of this Act do not apply to certain automated teller machines under certain circumstances; providing that this Act applies only to automated teller machines first installed on or after a certain date; and generally relating to automated teller machines.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 1–401(a) and (j)
Annotated Code of Maryland
(2003 Replacement Volume and 2010 Supplement)

BY adding to
Article – Financial Institutions
Section 1–402.1
Annotated Code of Maryland
(2003 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Financial Institutions

1–401.

(a) In this subtitle the following words have the meanings indicated.

(j) "Operator" means a financial institution or other person that operates an automated teller machine.

1–402.1.

(A) THIS SECTION DOES NOT APPLY TO AN AUTOMATED TELLER MACHINE THAT IS:

(1) LOCATED INSIDE A BUILDING UNLESS:

(I) THE BUILDING IS A FREESTANDING INSTALLATION THAT EXISTS SOLELY TO PROVIDE AN ENCLOSURE FOR THE AUTOMATED TELLER MACHINE; OR

(II) A USER OF THE AUTOMATED TELLER MACHINE IS ABLE TO CONDUCT A TRANSACTION FROM OUTSIDE THE BUILDING; OR

(2) OPERATED BY A FINANCIAL INSTITUTION, UNLESS THE AUTOMATED TELLER MACHINE IS LOCATED AT OR WITHIN OR ATTACHED TO PREMISES OWNED BY OR UNDER THE CONTROL OF THE FINANCIAL INSTITUTION.

(B) EACH OPERATOR OF AN AUTOMATED TELLER MACHINE SUBJECT TO THIS SECTION SHALL:

(1) INSTALL AND MAINTAIN A VIDEO CAMERA THAT VIEWS AND RECORDS ~~ALL ACTIVITY~~ *AN IMAGE* OF A USER AS THE USER PERFORMS A TRANSACTION AT THE AUTOMATED TELLER MACHINE; AND

(2) PRESERVE THE RECORDINGS MADE BY THE VIDEO CAMERA FOR AT LEAST 45 *CALENDAR* DAYS.

(C) ~~A VIDEO CAMERA REQUIRED UNDER SUBSECTION (B) OF THIS SECTION NEED NOT RECORD BANKING TRANSACTIONS MADE AT AN AUTOMATED TELLER MACHINE.~~

~~(D)~~ AN OPERATOR OF AN AUTOMATED TELLER MACHINE SUBJECT TO THIS SECTION IS NOT IN VIOLATION OF THIS SECTION IF A VIDEO CAMERA REQUIRED UNDER SUBSECTION (B) OF THIS SECTION MALFUNCTIONS DUE TO A REASON NOT WITHIN THE OPERATOR'S CONTROL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act applies only to automated teller machines first installed on or after October 1, 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 610

(House Bill 1033)

AN ACT concerning

Environment – Reducing Lead Risk in Housing – ~~Lead Paint Dust Testing~~ Risk Reduction Standards

FOR the purpose of altering the requirements for the owner of a certain affected property to ~~initially~~ satisfy a certain lead–risk reduction standard; altering a certain requirement relating to certain inspections of certain affected properties; altering the performance components required under a certain modified risk reduction standard; altering the information that the owner of a certain affected property is required to submit to verify satisfaction of a certain modified risk reduction standard; repealing certain requirements relating to a tenant's failure or refusal to verify the statement of work performed on a certain affected property; repealing an alternative to satisfying a certain modified risk reduction standard; altering certain provisions relating to a certain rebuttable presumption related to verification of a certain modified risk reduction standard; repealing certain requirements for a certain statement relating to work performed on an affected property; authorizing certain civil penalties for certain enforcement actions; making certain conforming changes; requiring the Department of the Environment, in consultation with certain persons, to conduct a certain study to evaluate processes that reduce the incidence of lead poisoning in certain properties and submit a certain report to the General Assembly by a certain date; requiring the Department to adopt certain regulations; providing for a delayed effective date for certain provisions of this Act; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,
Article – Environment

Section ~~6–815(a) and (b)~~ 6–815(a), (b), and (c), 6–816, ~~and~~ 6–819(a), (e), (f), and (k), and 6–850(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section ~~6–819(e)~~ 6–819(c) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY adding to
Article – Environment
Section 6–819(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing
Article – Environment
Section 6–819(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

6–815.

(a) No later than the first change in occupancy in an affected property that occurs on or after February 24, 1996, before the next tenant occupies the property, an owner of an affected property shall initially satisfy the risk reduction standard established under this subtitle by~~:~~

~~(1)~~ ~~Passing~~ **PASSING** the test for lead–contaminated dust under § 6–816 of this subtitle provided that ~~[~~any chipping, peeling, or flaking paint has been removed or repainted on:

~~(i)~~ **(1)** The exterior painted surfaces of the residential building in which the rental dwelling unit is located; and

~~(ii)~~ **(2)** The interior painted surfaces of the rental dwelling unit~~; or~~~~] NO INTERIOR OR EXTERIOR SURFACES OF THE AFFECTED PROPERTY HAVE CHIPPING, PEELING, OR FLAKING PAINT; AND~~

~~(2) Performing the following lead hazard reduction treatments:~~

~~(i) [A visual review of all exterior and interior painted surfaces;~~

~~(ii) The removal and repainting of chipping, peeling, or flaking paint on exterior and interior painted surfaces;~~

~~(iii) The repair of any structural defect that is causing the paint to chip, peel, or flake that the owner of the affected property has knowledge of or, with the exercise of reasonable care, should have knowledge of;~~

~~(iv)]~~ ~~[Stripping and repainting]~~ ~~**REPAINTING**~~, ~~replacing, or encapsulating all interior~~ ~~**LEAD–BASED PAINT OR UNTESTED PAINTED**~~ ~~windowsills with vinyl, metal, or any other material in a manner and under conditions approved by the Department;~~

~~[(v)]~~ ~~**(II)**~~ ~~[Ensure]~~ ~~**ENSURING**~~ ~~that caps of vinyl, aluminum, or any other material in a manner and under conditions approved by the Department, are installed in all window wells~~ ~~**WHERE LEAD–BASED PAINT OR UNTESTED PAINT EXISTS**~~ ~~in order to make the window wells smooth and cleanable;~~

~~[(vi)]~~ ~~**(III)**~~ ~~Except for a treated or replacement window that is free of lead–based paint on its friction surfaces, fixing the top sash~~~~**, SUBJECT TO LOCAL FIRE CODE STANDARDS,**~~ ~~of all windows in place in order to eliminate the friction caused by movement of the top sash;~~

~~[(vii)]~~ ~~**(IV)**~~ ~~Rehanging all doors necessary in order to prevent the rubbing together of a lead–painted surface with another surface;~~

~~[(viii)]~~ ~~**(V)**~~ ~~Making all bare floors smooth and cleanable;~~

~~[(ix)]~~ ~~**(VI)**~~ ~~[Ensure]~~ ~~**ENSURING**~~ ~~that all kitchen and bathroom floors are overlaid with a smooth, water–resistant covering; and~~

~~[(x)]~~ ~~**(VII)**~~ ~~HEPA–vacuuming and washing of the interior of the affected property with high phosphate detergent or its equivalent, as determined by the Department~~.

(b) At each change in occupancy thereafter, before the next tenant occupies the property, the owner of an affected property shall satisfy the risk reduction standard established under this subtitle by~~:~~

~~(1) Passing~~ **PASSING** the test for lead–contaminated dust under § 6–816 of this subtitle **IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION**~~;~~ ~~[or]~~ ~~**AND**~~

~~(2) (i) Repeating the lead hazard reduction treatments specified in subsection (a)(2)(i), (ii), (iii), and (x) of this section; and~~

~~(ii) Ensuring that the lead hazard reduction treatments specified in subsection (a)(2)(iv), (v), (vi), (vii), (viii), and (ix) of this section are still in effect~~.

(c) **[**Except for affected properties that pass a test for lead–contaminated dust under § 6–816 of this subtitle, at**]** **AT** each change in occupancy, an owner of an affected property shall have the property inspected to verify that the risk reduction standard specified in this section has been satisfied.

6–816.

The Department shall establish procedures and standards for the **[**optional**]** lead–contaminated dust testing by regulation.

6–819.

(a) The modified risk reduction standard shall consist of performing the following **[**lead hazard reduction treatments**]**:

(1) PASSING THE TEST FOR LEAD–CONTAMINATED DUST UNDER § 6–816 OF THIS SUBTITLE; AND

(2) PERFORMING THE FOLLOWING LEAD HAZARD REDUCTION TREATMENTS:

[~~(1)~~ *(I)* A visual review of all exterior and interior painted surfaces;

~~(2)~~ *(II)* The removal and repainting of chipping, peeling, or flaking paint on exterior and interior painted surfaces;

~~(3)~~ *(III)* The repair of any structural defect that is causing the paint to chip, peel, or flake, that the owner of the affected property has knowledge of or, with the exercise of reasonable care, should have knowledge of;**]**

[~~(4)~~**]** ~~(I)~~ *(IV)* **[**Stripping and repainting**]** **REPAINTING**, replacing, or encapsulating all interior **LEAD–BASED PAINT OR UNTESTED PAINTED** windowsills with vinyl, metal, or any other material in a manner and under conditions approved by the Department;

[~~(5)~~**]** ~~(II)~~ *(V)* **[**Ensure**]** **ENSURING** that caps of vinyl, aluminum, or any other material in a manner and under conditions approved by the Department,

are installed in all window wells **WHERE LEAD–BASED PAINT OR UNTESTED PAINT EXISTS** in order to make the window wells smooth and cleanable;

[~~(6)~~**]** ~~**(III)**~~ *(VI)* Except for a treated or replacement window that is free of lead–based paint on its friction surfaces, fixing the top sash**, SUBJECT TO FEDERAL, STATE, OR LOCAL FIRE CODE STANDARDS,** of all windows in place in order to eliminate the friction caused by the movement of the top sash;

[~~(7)~~ *(VII)* Rehanging all doors in order to prevent the rubbing together of a lead–painted surface with another surface;

~~(8)~~ *(VIII)* Ensure that all kitchen and bathroom floors are overlaid with a smooth, water–resistant covering; and**]**

[~~(9)~~**]** ~~**(IV)**~~ *(IX)* HEPA–vacuuming and washing with high phosphate detergent or its equivalent, as determined by the Department, any area of the affected property where repairs were made**[**~~.~~**]**~~**; AND**~~

~~**(3) COMPLYING WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL HOUSING LAWS.**~~

(c) (1) After February 23, 1996, an owner of an affected property shall satisfy the modified risk reduction standard:

(i) Within 30 days after receipt of written notice that a person at risk who resides in the property has an elevated blood lead level documented by a test for EBL greater than or equal to 15 ug/dl before February 24, 2006 or greater than or equal to 10 ug/dl on or after February 24, 2006; or

(ii) Within 30 days after receipt of written notice from the tenant, or from any other source, of:

1. A defect; and

2. The existence of a person at risk in the affected property.

(2) (i) An owner who receives multiple notices of an elevated blood level under this subsection or multiple notices of defect under subsection (d) of this section may satisfy all such notices by subsequent compliance with the risk reduction measures specified in subsection (a) of this section, as documented by satisfaction of subsection (f) or (g) of this section, if the owner complies with the risk reduction measures specified in subsection (a) of this section after the date of the test documenting the elevated blood level or after the date the notices of defect were issued.

(ii) Subparagraph (i) of this paragraph does not affect an owner's obligation to perform the risk reduction measures specified in subsection (a) of this section for a triggering event that occurs after the owner satisfies the provisions of subparagraph (i) of this paragraph.

(d) After May 23, 1997, an owner of an affected property shall satisfy the modified risk reduction standard within 30 days after receipt of written notice from the tenant, or from any other source, of a defect.

(E) AN OWNER OF AN AFFECTED PROPERTY IS IN COMPLIANCE WITH SUBSECTION (C) OR (D) OF THIS SECTION IF, AS APPLICABLE:

(1) THE OWNER SATISFIES THE MODIFIED RISK REDUCTION WITHIN 30 DAYS AFTER RECEIVING A NOTICE OF ELEVATED BLOOD LEAD LEVEL OR A NOTICE OF DEFECT IN ACCORDANCE WITH THIS SECTION; OR

(2) THE OWNER PROVIDES FOR THE TEMPORARY RELOCATION OF TENANTS TO A ~~NONAFFECTED PROPERTY OR A COMPLIANT AFFECTED PROPERTY~~ *LEAD–FREE DWELLING UNIT OR ANOTHER DWELLING UNIT THAT HAS SATISFIED THE RISK REDUCTION STANDARD IN ACCORDANCE WITH § 6–815 OF THIS SUBTITLE* WITHIN 30 DAYS AFTER THE RECEIPT OF A NOTICE OF ELEVATED BLOOD LEAD LEVEL OR A NOTICE OF DEFECT.

~~(e)~~ **(F)** Except as provided in § 6–817(b) of this subtitle, on and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk does not reside have satisfied the modified risk reduction standard.

~~(f)~~ **(G)** **[**(1)**]** An owner of an affected property shall verify satisfaction of the modified risk reduction standard by submitting a **[**statement of the work performed on the property, verified by the tenant and an accredited supervisor or contractor,**]** **REPORT FROM AN ACCREDITED INSPECTOR** to the Department ~~on or before the tenth day of the month following the month in which the work was completed~~.

[(2) (i) If the tenant fails or refuses to verify the statement of work performed on the affected property, the owner shall within 5 business days of the failure or refusal, contact an inspector accredited under § 6–818(a) of this subtitle to inspect the affected property.

(ii) The inspector's report shall either certify that the work required to be performed under this section was satisfactorily completed or specify precisely what additional work is required.

(iii) If additional work is required:

1. The owner shall have 20 days after receipt of the inspector's report in which to perform the work, subject to a weather delay under the provisions of subsection (j) of this section; and

2. The inspector shall reinspect the affected property after the additional work is completed and:

A. Issue a report certifying that the work is complete; and

B. Mail a copy of the report to the tenant, the owner, and the Department within 10 days after the inspection or reinspection.**]**

[(g) In lieu of satisfying the modified risk reduction standard, the owner of an affected property may elect to pass the test for lead–contaminated dust under § 6–816 of this subtitle provided that any chipping, peeling, or flaking paint has been removed or repainted on:

(1) The exterior painted surfaces of the residential building in which the rental dwelling unit is located; and

(2) The interior painted surfaces of the rental dwelling unit.**]**

(k) **[**(1)**]** The **[**statement verified by the owner and the tenant of work performed on the affected property in accordance with subsection (f)(1) of this section or the final**]** report of the inspector verifying **[**that work was performed on the affected property in accordance with subsection (f)(2) of this section**]COMPLIANCE WITH THIS SUBTITLE** shall create a rebuttable presumption, that may be overcome by clear and convincing evidence, that the owner is in compliance with the modified risk reduction standard for the affected property unless there is:

(i) Proof of actual fraud as to that affected property; or

(ii) Proof that the work performed on the affected property was not performed by or under the supervision of personnel accredited under § 6–1002 of this title.

[(2) The statement verified by the owner and the tenant of work performed on the affected property in accordance with subsection (f)(1) of this section shall contain a statement:

(i) Describing the modified risk reduction standard required under this subtitle;

(ii) That execution of this statement by the tenant can affect the tenant's legal rights; and

(iii) That if the tenant is not satisfied that the modified risk reduction standard has been met, the tenant should not execute the statement and should inform the owner and that the owner will have the affected property inspected by a certified inspector at the owner's expense.**]**

6–850.

(a) Except as provided in § 6–849 of this subtitle, in addition to any other remedies provided in this subtitle, the provisions and procedures of §§ 7–256 through 7–264 and 7–266**[**(b)**]** of this article shall be used and shall apply to enforce violations of this subtitle, provided that the penalty imposed under § 7–266(b)(2)(i) of this article may not exceed $500 per day for any violation of this subtitle.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment shall conduct a study to evaluate processes that reduce the incidence of lead poisoning in affected and nonaffected properties, including rental properties built from 1950 through 1978 and owner–occupied properties.

(b) The Department of the Environment shall conduct the study required under subsection (a) of this section in consultation with:

(1) ~~one member~~ *two members* of the Senate of Maryland, *one of whom shall be a member of the minority party*, appointed by the President of the Senate;

(2) ~~two~~ *three* members of the House of Delegates, *one of whom shall be a member of the minority party*, appointed by the Speaker of the House; and

(3) one or two representatives from each of the following:

(i) the Department of Health and Mental Hygiene;

(ii) the Department of Housing and Community Development;

(iii) the City of Baltimore;

(iv) the Apartment and Office Building Association;

(v) the Coalition to End Childhood Lead Poisoning;

(vi) the Maryland Association of Realtors;

(vii) the Maryland Lead Poisoning Prevention Commission;

(viii) the Maryland MultiHousing Association;

(ix) the Maryland Property Owners Association; and

(x) a lead abatement contractors association.

(c) The study shall evaluate:

(1) current lead poisoning data, including housing and population at–risk data from the United States Census, related to affected and nonaffected properties to determine the populations most at risk in the State;

(2) lead poisoning data collection methods for affected and nonaffected properties, including identification of data gaps and methods to fill them;

(3) outreach to and education of owners and tenants of nonaffected properties;

(4) potential for expanding the applicability of the current Reduction of Lead Risk in Housing law to nonaffected and noncompliant properties;

(5) long–term funding for lead poisoning prevention activities; and

(6) other issues the Department determines relevant to reducing the incidence of lead poisoning in affected and nonaffected properties.

(d) On or before December 31, 2011, the Department of the Environment shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the results of the study required under subsection (a) of this section.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of the Environment shall adopt regulations related to reporting requirements of dust testing laboratory results.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2012.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 611

(House Bill 1038)

AN ACT concerning

Commercial Law – Residential Mortgage Loans – Escrow Amounts

FOR the purpose of prohibiting certain lenders ~~and lending institutions~~, *credit grantors, and servicers of loans* from including, for a certain period of time, certain increases in the amount of certain escrow payments in calculating the amount of interest or any fee due under certain residential mortgage loans under certain circumstances; providing for the construction of certain provisions of this Act; *authorizing a lender, a credit grantor, or a servicer of a loan to charge interest to a borrower on certain funds under certain circumstances; defining a certain term;* and generally relating to residential mortgage loans and escrow amounts.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 12–109 and 12–109.2(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–109.1 and 12–1026
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Commercial Law

12–109.

(a) (1) In this section the following words have the meanings indicated.

(2) "Lending institution" means a bank, savings bank, or savings and loan association doing business in Maryland.

(3) "Escrow account" means an expense or escrow account which tends to protect the security of a loan by the accumulation of funds for the payment of taxes, insurance premiums, or other expenses.

(b) (1) After May 31, 1974, a lending institution which lends money secured by a first mortgage or first deed of trust on any interest in residential real property and creates or is the assignee of an escrow account in connection with that loan shall pay interest to the borrower on the funds in the escrow account at the greater of:

(i) A rate of 3 percent per annum simple interest; or

(ii) The rate of interest regularly paid by the lending institution on regular passbook savings accounts.

(2) Interest on these funds shall be:

(i) Computed on the average monthly balance in the escrow account; and

(ii) Paid annually to the borrower by crediting the escrow account with the amount of interest due.

(3) The lending institution shall annually provide the borrower with a statement of the escrow balance.

(c) The provisions of this section do not apply to a lending institution which provides for the payment of taxes, insurance, or other expenses under the direct reduction method by which these expenses, when paid by the lender, are added to the outstanding principal balance of the loan.

(d) This section does not apply if the loan is purchased by an out–of–state lender through the Federal National Mortgage Association, the Government National Mortgage Association, or the Federal Home Loan Mortgage Corporation and the out–of–state lender as a condition of purchase elects to service the loan. However, this section shall apply if the out–of–state lender sells the loan to a Maryland lender or places the loan with a Maryland lender for servicing.

12–109.1.

(a) The provisions of this section do not apply to escrow accounts maintained in connection with loans described in § 12–103(e)(1) of this subtitle.

(b) Except in a foreclosure, release, or as provided in subsection (c) of this section, funds in any escrow account for use in paying taxes, insurance premiums and ground rents may not be used to:

(1) Reduce the principal; or

(2) Pay interest or other loan charges.

(c) If there is periodically a balance in the escrow account that exceeds the amount provided for in the note, loan agreement, or security instrument, the borrower shall be given at least annually the option of:

(1) Receiving a refund of the excess amount;

(2) Applying the excess amount to the payment of principal and interest; or

(3) Leaving the excess amount in the escrow account.

(d) A refund of any excess amount shall be made:

(1) Within 60 days after the receipt by the lender of the borrower's request for a refund; or

(2) If the borrower has not notified the lender of the option chosen by the borrower under subsection (c) of this section, within 60 days after the date the lender mailed notice of the excess amount to the borrower.

(E) (1) ~~IF~~ *SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF*, AFTER RECALCULATING THE AMOUNT THAT IS REQUIRED TO BE MAINTAINED IN ESCROW UNDER A FIRST MORTGAGE OR FIRST DEED OF TRUST ON RESIDENTIAL REAL PROPERTY, A LENDER *OR A SERVICER OF A LOAN* DETERMINES THAT THE AMOUNT THAT A BORROWER IS REQUIRED TO PAY MUST INCREASE, THE LENDER *OR SERVICER* MAY NOT INCLUDE, FOR A 1–YEAR PERIOD AFTER THE DETERMINATION IS MADE, THE AMOUNT OF THE INCREASE IN ESCROW PAYMENTS IN ANY CALCULATION OF THE AMOUNT OF INTEREST OR ANY FEE DUE UNDER THE LOAN.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE ABILITY OF A LENDER *OR A SERVICER OF A LOAN* TO IMPOSE A LATE FEE FOR ANY ESCROW PAYMENT THAT IS DUE AND NOT TIMELY PAID.

(3) (I) IN THIS PARAGRAPH, "OTHER EXPENSES" DOES NOT INCLUDE MONEY REQUIRED BY A LENDER OR A SERVICER OF A LOAN FOR AN ESCROW ACCOUNT CUSHION AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.

(II) A LENDER OR A SERVICER OF A LOAN MAY CHARGE INTEREST TO A BORROWER ON THE AMOUNT OF FUNDS THE LENDER OR SERVICER ADVANCES TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE BORROWER IN ORDER TO PROTECT THE SECURITY OF THE LOAN.

(III) INTEREST MAY BE CHARGED BY A LENDER OR A SERVICER OF A LOAN UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH ONLY IF:

1. THE LENDER OR SERVICER ADVANCES ITS OWN FUNDS BECAUSE FUNDS OF THE BORROWER WERE NOT AVAILABLE TO PAY THE TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE BORROWER;

2. THE NEED FOR THE ADVANCE WAS NOT CAUSED BY AN ERROR OF THE LENDER OR SERVICER IN SERVICING THE LOAN;

3. THE LENDER OR SERVICER PROVIDES NOTICE TO THE BORROWER THAT THE ADVANCE WAS MADE AND THAT INTEREST WILL BE CHARGED ON THE ADVANCE;

4. INTEREST DOES NOT BEGIN TO ACCRUE UNTIL 60 DAYS AFTER NOTICE HAS BEEN PROVIDED TO THE BORROWER IN ACCORDANCE WITH ITEM 3 OF THIS SUBPARAGRAPH;

5. INTEREST IS CHARGED ONLY ON THE AMOUNT OF FUNDS ACTUALLY ADVANCED BY THE LENDER OR SERVICER AFTER THE LENDER OR SERVICER HAS USED ALL AVAILABLE FUNDS OF THE BORROWER TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE BORROWER; AND

6. THE BORROWER IS PERMITTED TO REPAY THE ADVANCE AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.

12–109.2.

(c) A lender may not impose a collection fee or service charge on the maintenance of an escrow account on a first mortgage.

12–1026.

(a) (1) In this section the following words have the meanings indicated.

(2) "Lending institution" means a bank, savings bank, or savings and loan association doing business in Maryland.

(3) "Escrow account" means an expense or escrow account which tends to protect the security of a loan by the accumulation of funds for the payment of taxes, insurance premiums, or other expenses.

(b) (1) A lending institution that makes a loan to a consumer borrower secured by a first mortgage or first deed of trust on residential real property and creates or is the assignee of an escrow account in connection with that loan shall pay interest to the consumer borrower on the funds in the escrow account at the greater of:

(i) A rate of 3 percent per annum simple interest; or

(ii) The rate of interest regularly paid by the lending institution on regular passbook savings accounts.

(2) Interest on these funds shall be:

(i) Computed on the average monthly balance in the escrow account; and

(ii) Paid annually to the borrower by crediting the escrow account with the amount of interest due.

(3) The lending institution shall annually provide the consumer borrower with a statement of the escrow balance.

(4) The provisions of this subsection do not apply to a lending institution that provides for the payment of taxes, insurance, or other expenses under the direct reduction method by which these expenses, when paid by the lending institution, are added to the outstanding principal balance of the loan.

(5) (i) This subsection does not apply if the loan:

1. Is purchased by an out–of–state lender through the Federal National Mortgage Association, the Government National Mortgage Association, or the Federal Home Loan Mortgage Corporation; and

2. The out–of–state lender elects to service the loan as a condition of purchase.

(ii) Notwithstanding subparagraph (i) of this paragraph, this subsection shall apply if the out–of–state lender:

1. Sells the loan to a Maryland lender; or

2. Places the loan with a Maryland lender for servicing.

(c) (1) Except upon foreclosure, release, or as provided in paragraph (2) of this subsection, funds in any escrow account maintained by a credit grantor on behalf of a consumer borrower for use in paying taxes, insurance premiums, and ground rents may not be used:

(i) To reduce the principal; or

(ii) To pay interest or other loan charges.

(2) If there is periodically a balance in the escrow account maintained by a credit grantor on behalf of a consumer borrower which exceeds the amount stated in the agreement, note, or other evidence of the loan, the consumer borrower shall be given at least annually the option of:

(i) Receiving a refund of the excess amount;

(ii) Applying the excess amount to the payment of principal and interest; or

(iii) Leaving the excess amount in the escrow account.

(3) A refund of any excess amount shall be made:

(i) Within 60 days after the receipt by the credit grantor of the consumer borrower's request for a refund; or

(ii) If the consumer borrower has not notified the credit grantor of the option chosen by the consumer borrower, within 60 days after the date the credit grantor mailed notice of an excess amount.

(4) (I) ~~IF~~ *SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF*, AFTER RECALCULATING THE AMOUNT THAT IS REQUIRED TO BE MAINTAINED IN ESCROW UNDER A FIRST MORTGAGE OR FIRST DEED OF TRUST ON RESIDENTIAL REAL PROPERTY, A ~~LENDING INSTITUTION~~ *CREDIT GRANTOR OR A SERVICER OF A LOAN* DETERMINES THAT THE AMOUNT THAT A CONSUMER BORROWER IS REQUIRED TO PAY MUST INCREASE, THE ~~LENDING INSTITUTION~~ ~~*LENDER*~~ *CREDIT GRANTOR OR SERVICER* MAY NOT INCLUDE, FOR A 1–YEAR PERIOD AFTER THE DETERMINATION IS MADE, THE AMOUNT OF THE INCREASE IN ESCROW PAYMENTS IN ANY CALCULATION OF THE AMOUNT OF INTEREST OR ANY FEE DUE UNDER THE LOAN.

(II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO LIMIT THE ABILITY OF A ~~LENDING INSTITUTION~~ *CREDIT GRANTOR OR A SERVICER OF A LOAN* TO IMPOSE A LATE FEE FOR ANY ESCROW PAYMENT THAT IS DUE AND NOT TIMELY PAID.

(III) 1. IN THIS SUBPARAGRAPH, "OTHER EXPENSES" DOES NOT INCLUDE MONEY REQUIRED BY A CREDIT GRANTOR OR A SERVICER OF A LOAN FOR AN ESCROW ACCOUNT CUSHION AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.

2. A CREDIT GRANTOR OR A SERVICER OF A LOAN MAY CHARGE INTEREST TO A CONSUMER BORROWER ON THE AMOUNT OF FUNDS THE CREDIT GRANTOR OR SERVICER ADVANCES TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE CONSUMER BORROWER IN ORDER TO PROTECT THE SECURITY OF THE LOAN.

3. INTEREST MAY BE CHARGED BY A CREDIT GRANTOR OR A SERVICER OF A LOAN UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH ONLY IF:

A. THE CREDIT GRANTOR OR SERVICER ADVANCES ITS OWN FUNDS BECAUSE FUNDS OF THE CONSUMER BORROWER WERE NOT AVAILABLE TO PAY THE TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE CONSUMER BORROWER;

B. THE NEED FOR THE ADVANCE WAS NOT CAUSED BY AN ERROR OF THE CREDIT GRANTOR OR SERVICER IN SERVICING THE LOAN;

C. THE CREDIT GRANTOR OR SERVICER PROVIDES NOTICE TO THE CONSUMER BORROWER THAT THE ADVANCE WAS MADE AND THAT INTEREST WILL BE CHARGED ON THE ADVANCE;

D. INTEREST DOES NOT BEGIN TO ACCRUE UNTIL 60 DAYS AFTER NOTICE HAS BEEN PROVIDED TO THE CONSUMER BORROWER IN ACCORDANCE WITH ITEM C OF THIS SUBSUBPARAGRAPH;

E. INTEREST IS CHARGED ONLY ON THE AMOUNT OF FUNDS ACTUALLY ADVANCED BY THE CREDIT GRANTOR OR SERVICER AFTER THE CREDIT GRANTOR OR SERVICER HAS USED ALL AVAILABLE FUNDS OF THE CONSUMER BORROWER TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE CONSUMER BORROWER; AND

F. THE CONSUMER BORROWER IS PERMITTED TO REPAY THE ADVANCE AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.

(d) (1) Funds in any escrow account shall be kept separate from and may not be commingled with the funds of the credit grantor.

(2) A credit grantor may place escrow funds received in connection with more than one loan into a single escrow account.

(3) In the event of the bankruptcy of the credit grantor, any escrow funds placed in any escrow account may not be considered to be part of the bankrupt estate of the credit grantor.

(e) A credit grantor may not impose a collection fee or service charge on the maintenance of an escrow account on a first mortgage or first deed of trust.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 612

(House Bill 1105)

AN ACT concerning

Prince George's County – School Facilities ~~Surcharge for~~ Surcharge *Exemption* – Replacement of Existing Single–Family Dwelling Unit *in the Rural Tier*

PG 408–11

FOR the purpose of ~~altering~~ ~~repealing certain conditions on the applicability of~~ *establishing an exemption to* the Prince George's County school facilities surcharge ~~exemption~~ for a replacement single–family dwelling unit built on the same lot as a previously existing single–family dwelling unit *in the Rural Tier of Prince George's County; requiring the County Executive of Prince George's County to include in a certain report certain information about any exemptions granted to the school facilities surcharge* ~~by repealing provisions limiting the exemption to dwellings destroyed by fire, explosion, or natural disaster; providing for the retroactive application of this Act~~; defining a certain term; *providing for the termination of this Act;* and generally relating to the applicability of the school facilities surcharge in Prince George's County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–192.01
Article 17 – Public Local Laws of Maryland
(2003 Edition and 2005 Supplement, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003, Chapter 166 of the Acts of the General Assembly of 2007, and Chapter 108 of the Acts of the General Assembly of 2008)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 17 – Prince George's County

10–192.01.

(A) IN THIS SECTION, "NEW RESIDENTIAL CONSTRUCTION" DOES NOT INCLUDE THE IMPROVEMENT, RENOVATION, OR EXPANSION OF:

(1) AN EXISTING DWELLING; OR

(2) AN EXISTING DWELLING UNIT.

~~(a)~~ **(B)** (1) The County Council, by ordinance, shall impose a school facilities surcharge on new residential construction for which a building permit is issued on or after July 1, 2003.

(2) (A) Except as provided under subparagraph (B) of this paragraph, the County Council may impose a school facilities surcharge on new residential construction for which a building permit is issued on or after July 1, 2003, by a municipal corporation in Prince George's County with zoning authority and the authority to issue building permits.

(B) The County Council may not impose a school facilities surcharge on new residential construction for which a building permit is issued by a municipal corporation if Prince George's County has collected a surcharge on issuance of a County permit for the same new residential construction.

~~(b)~~ **(C)** (1) (A) For Fiscal Year 2004, a school facilities surcharge imposed on a single–family detached dwelling, townhouse, or dwelling unit for any other building containing more than a single dwelling unit shall be in the amount of:

(i) Except as provided in items (ii) and (iii) of this subparagraph, Twelve Thousand Dollars ($12,000);

(ii) Seven Thousand Dollars ($7,000) if the building is located between Interstate Highway 495 and the District of Columbia; and

(iii) Seven Thousand Dollars ($7,000) if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority.

(B) For Fiscal Year 2005 and each succeeding fiscal year, the facilities surcharge established in subparagraph (A) of this paragraph shall be

adjusted for inflation in accordance with the Consumer Price Index for all urban consumers published by the United States Department of Labor, for the fiscal year preceding the year for which the amount is being calculated.

(2) The school facilities surcharge does not apply to a mixed retirement development or elderly housing.

(3) The school facilities surcharge does not apply to a single–family detached dwelling that is to be built or subcontracted by an individual owner in a minor subdivision and that is intended to be used as the owner's personal residence.

(4) (A) The school facilities surcharge does not apply to multi–family housing designated as student housing that is located in:

(i) The area bounded by Maryland Route 193 to the west and north, U.S. Route 1 to the east, and the southern boundary of the City of College Park to the south;

(ii) The area bounded by U.S. Route 1 to the west, Berwyn House Road to the north, Rhode Island Avenue to the east, and Lakeland Road to the south;

(iii) The area bounded by U.S. Route 1 to the west, Paint Branch Parkway to the north and east, Rhode Island Avenue to the east, and College Avenue to the south;

(iv) The area bounded by University Boulevard to the north, Adelphi Road to the east, Stanford Street to the south, and University Hills Park to the west;

(v) The area bounded by the eastern boundary of Paint Branch Stream Valley Park to the west, Park Road and a line extending from the western end of Park Road directly west to Paint Branch Stream Valley Park to the north, U.S. Route 1 to the east, and Erie Street and a line extending from the western end of Erie Street directly west to Paint Branch Stream Valley Park to the south;

(vi) The area bounded by Autoville Drive and a line extending from the southern end of Autoville Drive directly south to Maryland Route 193 to the west, Erie Street to the north, U.S. Route 1 to the east, and Maryland Route 193 to the south; or

(vii) The area bounded by U.S. Route 1 to the west, Maryland Route 193 to the north, 48th Avenue to the east, and Greenbelt Road to the south.

(B) Subject to the approval of the County Council and the municipality where the multi–family housing is located, the school facilities surcharge

does not apply to multi–family housing designated as student housing for any areas not listed under subparagraph (A) of this paragraph in the City of College Park, the City of Hyattsville, and the Town of Riverdale Park.

(C) If the housing is converted from student housing to multi–family housing for the general population, the owner of the property shall pay, at the time of the conversion, the school facilities surcharge in accordance with the laws at the time of the conversion.

(5) ***(A)*** The school facilities surcharge does not apply to a single–family dwelling unit that is to be built or subcontracted by an individual owner to replace on the same lot a previously existing single–family dwelling unit **[**that was destroyed by fire, explosion, or a natural disaster**]** if the single–family dwelling unit is~~:~~**:**

(I) SIMILAR TO THE PREVIOUSLY EXISTING SINGLE–FAMILY DWELLING UNIT; AND

(II)

[~~(i)~~**]** ~~**(A)**~~ ~~Similar to the previously existing single–family dwelling unit; and~~

[~~(ii)~~**]** ~~**(B)**~~ ~~Owned~~ ~~**OWNED**~~ ***OWNED*** and occupied by the same individual who owned and occupied the previously existing single–family dwelling unit.

(B) IN THE RURAL TIER, AS DEFINED BY THE PRINCE GEORGE'S COUNTY APPROVED GENERAL PLAN, AS AMENDED, THE SCHOOL FACILITIES SURCHARGE DOES NOT APPLY TO A SINGLE–FAMILY DWELLING UNIT THAT IS TO BE BUILT OR SUBCONTRACTED BY AN INDIVIDUAL OWNER TO REPLACE ON THE SAME LOT A PREVIOUSLY EXISTING SINGLE–FAMILY DWELLING UNIT IF THE SINGLE–FAMILY DWELLING UNIT IS OWNED AND OCCUPIED BY THE SAME INDIVIDUAL WHO OWNED AND OCCUPIED THE PREVIOUSLY EXISTING SINGLE–FAMILY DWELLING UNIT.

~~(c)~~ **(D)** The school facilities surcharge shall be paid by the seller at the time a building permit is issued for the dwelling unit. The school facilities surcharge may not be construed to be a settlement cost.

~~(d)~~ **(E)** Payment of the school facilities surcharge does not eliminate any authority to apply any test concerning the adequacy of school facilities under the County's adequate public facility ordinance.

~~(e)~~ **(F)** Revenue collected under the school facilities surcharge shall be deposited in a separate account and may only be used to pay for:

(1) Additional or expanded public school facilities such as renovations to existing school buildings or other systemic changes; or

(2) Debt service on bonds issued for additional or expanded public school facilities or new school construction.

~~(f)~~ **(G)** Revenue collected under the school facilities surcharge is intended to supplement funding for public school facilities and may not supplant other County or State funding for school construction.

~~(g)~~ **(H)** The County Executive of Prince George's County shall prepare an annual report on the school facilities surcharge on or before August 31 of each year for the County Council of Prince George's County, the Prince George's County Senate Delegation, and the Prince George's County House Delegation, to include:

(1) A detailed description of how fees were expended; ~~and~~

(2) The amount of fees collected***; AND***

(3) REGARDING AN EXEMPTION FROM THE PAYMENT OF THE SCHOOL FACILITIES SURCHARGE:

(A) THE NUMBER OF PROPERTIES FOR WHICH AN EXEMPTION WAS GRANTED UNDER THIS SECTION;

(B) THE TYPE OF EXEMPTION GRANTED; AND

(C) FOR EACH TYPE OF EXEMPTION, THE AMOUNT THAT WOULD HAVE BEEN PAID IF AN EXEMPTION HAD NOT BEEN GRANTED.

~~(h)~~ **(I)** This Section does not apply to any property located in an infrastructure finance district approved before January 1, 2000.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any certificate of sale or assignment of certificate of sale recorded on or after January 1, 2009.~~

SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011. *It shall remain effective for a period of 2 years and, at the end of May 31, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.*

Approved by the Governor, May 19, 2011.

Chapter 613

(House Bill 1119)

AN ACT concerning

Prince George's County – Alcoholic Beverages – Entertainment Permit

PG 311–11

FOR the purpose of specifying that certain alcoholic beverages license holders in Prince George's County need not obtain an entertainment permit under certain circumstances; requiring a holder of an entertainment permit to meet all requirements under county law; clarifying that a certain prohibition is in effect when the privileges authorized by the entertainment permit are being exercised; making a certain stylistic change; and generally relating to the issuance of entertainment permits in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(19)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

6–201.

(r) (1) (i) This subsection applies only in Prince George's County.

(19) **(I) A LICENSE HOLDER THAT SEEKS TO PROVIDE ENTERTAINMENT IS NOT REQUIRED TO OBTAIN A PERMIT UNDER THIS PARAGRAPH IF:**

1. THE LICENSE IS ISSUED UNDER PARAGRAPH (3), (9), (10), (11), (12), (13), (16), OR (17) OF THIS SUBSECTION OR § 5–201(R)(4) OF THIS ARTICLE; OR

2. THE BOARD OF LICENSE COMMISSIONERS DETERMINES THAT THE HOLDER'S PRINCIPAL BUSINESS IS TO PROVIDE FAMILY ENTERTAINMENT.

[(i)**] (II)** There is a special entertainment permit that the Board **[**of License Commissioners**]** may issue to a holder of any Class B (on–sale) license in accordance with this paragraph.

[(ii)**] (III)** The Board shall determine the number of days in a week that a permit holder may exercise the privileges of the permit.

[(iii)**] (IV)** 1. Before approving an application for and issuing a permit under this paragraph, the Board shall hold a public hearing in accordance with the requirements for a public hearing on an application for a license under § 10–202(i) of this article.

2. At the public hearing, the Board shall give the applicant, supporters of the applicant, and opponents of the applicant an opportunity to be heard.

3. In making its determination whether to approve the application and issue the permit, the Board shall consider whether:

A. Approval and issuance of the permit is necessary for the accommodation of the public;

B. The applicant is a fit person to receive the permit;

C. The applicant has made any material false statement in the application;

D. The applicant has committed any fraudulent act in connection with the application;

E. The operation of the business, if the permit is issued, will unduly disturb the peace of the residents of the neighborhood where the place of business is located or to be located; and

F. There are any other reasons that justify the disapproval of the application or the refusal to issue the permit.

4. The Board shall hold a similar public hearing on receipt of a petition to:

A. Revoke an entertainment permit; or

B. Protest the renewal of an entertainment permit.

[(iv)**] (V)** **1.** The permit authorizes the holder **[**after 9 p.m. and until 2 a.m. the following day**] THAT COMPLIES WITH ALL REQUIREMENTS UNDER COUNTY LAW** to impose a cover charge, offer facilities for patron dancing, and provide entertainment.

2. THE PERMIT IS VALID AFTER 9 P.M. UNTIL 2 A.M. THE FOLLOWING DAY.

[(v)**] (VI)** Before being issued a permit, an applicant shall:

1. Submit evidence to the satisfaction of the Board that the applicant:

A. Holds a Class B (on–sale) license; and

B. Meets all other entertainment permit requirements; and

2. A. Develop a security plan to prevent the premises for which the permit is sought from posing a threat to the peace and safety of the surrounding area; and

B. Submit the plan for review to the Board and the Chief of the Prince George's County Police Department.

[(vi)**] (VII)** 1. The Chief of the Prince George's County Police Department may submit comments to the Board on the adequacy of the security plan within 30 days after receipt of the plan.

2. The Board shall consider the comments, if any, of the Chief of Police and subsequently issue the permit, refuse to issue the permit, or condition the issuance of the permit on changes to the security plan.

3. If the Board issues the permit with a security plan that the Chief of the Prince George's County Police Department does not support, the Board shall specify in writing to the Chief the reasons why the Board has determined that the security plan is adequate.

4. Each permit holder shall follow the approved security plan at all times when the permit holder exercises the privileges of the permit.

[(vii)**] (VIII)** A holder of the permit:

1. Shall implement the security plan; and

2. **[**May**] WHEN THE PRIVILEGES AUTHORIZED BY THE PERMIT ARE BEING EXERCISED, MAY** not allow an individual who is under the age of 21 years on the premises for which the permit is issued, unless the individual is employed by or is an immediate family member of the holder.

[(viii)**] (IX)** The Board at any time may prohibit, condition, or restrict the type of entertainment offered by a holder of the permit, including lewd, exotic, loud, or raucous entertainment, if after a hearing the Board determines that the entertainment adversely impacts or unduly disturbs the community and is not conducive to the peace, health, welfare, or safety of the residents of the County.

[(ix)**] (X)** The annual fee for the permit is $1,500, which is in addition to the annual fee for the Class B license.

[(x)**] (XI)** A permit holder may employ sworn security personnel as part of the security plan if the sworn security personnel have full police powers in the jurisdiction where the premises of the permit holder is located.

[(xi)**] (XII)** 1. The circuit court may issue a temporary restraining order to immediately close to the public the entire operation of the premises if the County establishes that the security plan has not been implemented and that the public health, safety, or welfare requires emergency action.

2. On issuance of a temporary restraining order under subsubparagraph 1 of this subparagraph, the County shall give the permit holder written notice of and reasons for the closure.

3. The permit holder promptly shall be given an opportunity for a hearing in circuit court on the granting of the temporary restraining order in accordance with Chapter 500 of the Maryland Rules.

[(xii)**] (XIII)** Subject to subparagraph **[**(xiii)**] (XIV)** of this paragraph, the Board may immediately suspend a permit if the Board reasonably believes that the permit holder violated this paragraph.

[(xiii)**] (XIV)** If the Board immediately suspends a permit, the Board shall:

1. Give the permit holder notice of the suspension and a hearing on the suspension at which the permit holder may be heard and present evidence; and

2. Hold the hearing within 30 days after the suspension is imposed.

[(xiv)**] (XV)** At the hearing, the Board shall determine:

1. Whether the permit holder violated this paragraph; and

2. If a violation occurred, what penalty to impose among those listed in subparagraphs **[**(xv) and**]** (xvi) **AND (XVII)** of this paragraph.

[(xv)**] (XVI)** Subject to subparagraph **[**(xvi)**] (XVII)** of this paragraph, if the Board finds that a person has violated this paragraph, the Board:

1. May revoke or continue the suspension of the permit; and

2. Shall impose on the person a penalty of:

A. For a first offense, at least $1,000 but not more than $12,500; and

B. For each subsequent offense, at least $5,000.

[(xvi)**] (XVII)** The Board:

1. Shall revoke the permit of a person who the Board determines violated this paragraph twice within a 24–month period; and

2. Until at least 12 months after the order of revocation was issued, may not consider an application from the person for a new permit or an application for a new permit for the premises that was the subject of the revocation.

[(xvii)**] (XVIII)** If the Board determines that the permit holder did not violate this paragraph, the Board shall immediately reinstate the permit.

[(xviii)**] (XIX)** The Board of License Commissioners shall adopt regulations to carry out this paragraph.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 614

(House Bill 1156)

AN ACT concerning

~~Northeastern Maryland~~ Task Force to Study the Creation of a Regional Higher Education ~~and Applied Technology~~ Center in Northeastern Maryland

~~FOR the purpose of establishing the Northeastern Maryland Higher Education and Applied Technology Center; providing that the Center shall be governed by a certain Board; establishing the number of voting Board members; providing for the appointment of Board members; establishing the term lengths for Board members; providing for the appointment of a Board chair; providing for the establishment of certain committees; establishing the number of nonvoting members; providing for the reimbursement of certain expenses; establishing the length of members' initial terms; specifying the Board's powers; requiring the Board to fulfill certain duties; providing for a director of the Center; specifying the procedure for selecting a director; requiring the director to fulfill certain duties; requiring the submission of a budget for certain purposes; specifying the procedures for requesting certain appropriations; providing for the disposition of certain property by the Board; providing certain liability protections for the Board, its agents, and employees; defining certain terms; declaring the intent of the General Assembly; and generally relating to the establishment of the Northeastern Maryland Higher Education and Applied Technology Center.~~

FOR the purpose of establishing a Task Force to Study the Creation of a Regional Higher Education Center in Northeastern Maryland; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to meet a certain number of times each month; requiring the Task Force to study and make recommendations regarding the higher education needs of the Northeastern Maryland region; requiring the Task Force to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Creation of a Regional Higher Education Center in Northeastern Maryland.

~~BY adding to~~
~~Article – Education~~

~~Section 24–3A–01 through 24–3A–08 to be under the new subtitle "Subtitle 3A. Northeastern Maryland Higher Education and Applied Technology Center"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2010 Supplement)~~

~~Preamble~~

~~WHEREAS, There is a growing need for higher education in Northeastern Maryland; and~~

~~WHEREAS, The expansion of the Aberdeen Proving Ground has created a demand for skilled workers with expertise in science, technology, engineering and mathematics (STEM) Fields; and~~

~~WHEREAS, The general economic development of the Northeastern Maryland region has manifested into a key economic driver and job center and depends on the existence of a skilled and highly educated workforce; and~~

~~WHEREAS, The creation of the Northeastern Maryland Higher Education and Applied Technology Center will meet these needs by providing quality upper division undergraduate and graduate programs from both public and private institutions in the State and beyond; and~~

~~WHEREAS, The Center will be a Northeastern Maryland regional entity, and the Board of Governors shall work in partnership with area higher education institutions, local public school systems, the business community, and Aberdeen Proving Ground leaders in order to meet the higher education needs of the entire Northeastern Maryland region; and~~

~~WHEREAS, The State will contribute funds towards the expansion of the formally recognized Northeastern Maryland Higher Education and Applied Technology Center; and~~

~~WHEREAS, The Board of Governors of the Northeastern Maryland Higher Education and Applied Technology Center will be the governing board of the Center, responsible for the financial management of the Center, needs assessment, academic planning, program implementation, and evaluation of programs; and~~

~~WHEREAS, The maintenance and operation of the Northeastern Maryland Higher Education and Applied Technology Center will be the responsibility of the Board of Governors of the Center; now, therefore,~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Laws of Maryland read as follows~~:

(a) There is a Task Force to Study the Creation of a Regional Higher Education Center in Northeastern Maryland.

(b) The Task Force consists of the following members:

(1) the Secretary of Higher Education, or the Secretary's designee;

(2) the Chancellor of the University System of Maryland, or the Chancellor's designee;

(3) the President of Morgan State University, or the President's designee;

(4) the President of Harford Community College, or the President's designee;

(5) the President of Cecil College, or the President's designee;

(6) the Executive Director of the Higher Education and Conference Center at the Higher Education and Applied Technology Center, or the Executive Director's designee;

(7) the Executive Director of the Maryland Association of Community Colleges, or the Executive Director's designee;

(8) the President of the Maryland Independent College and University Association, or the President's designee;

(9) a representative of the Governor's Workforce Investment Board, appointed by the Executive Director of the Board;

(10) the Commanding General of Aberdeen Proving Ground, or the Commanding General's designee;

(11) the County Superintendent of Harford County Public Schools, or the Superintendent's designee;

(12) the County Superintendent of Cecil County Public Schools, or the Superintendent's designee;

(13) a representative of the Harford County Office of Economic Development, appointed by the Executive Director;

(14) a representative of the Cecil County Office of Economic Development, appointed by the Executive Director; and

(15) the following four members, appointed by the executive director of the organization:

(i) one representative of the Susquehanna Workforce Network;

(ii) one representative of the Chesapeake Science and Security Corridor;

(iii) one representative of the Army Alliance; and

(iv) one representative of the Northeastern Maryland Technology Council.

(c) (1) The Governor shall designate the chair of the Task Force.

(2) The Governor shall consider whether individuals considered to chair the Task Force have any of the following attributes:

(i) familiarity with the northeastern region of Maryland;

(ii) familiarity with higher education; and

(iii) leadership ability and experience.

(d) The Office of the Governor shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall meet at least one time per month at such times and places it determines.

(g) The Task Force shall:

(1) examine the need for higher education in Northeastern Maryland;

(2) examine the future role of the off–campus site at Harford Community College in meeting the need for higher education in Northeastern Maryland;

(3) examine the future role of Harford Community College and Cecil College in meeting the need for higher education in Northeastern Maryland;

(4) examine the future role of other segments of higher education in meeting the need for higher education in Northeastern Maryland;

(5) examine all existing higher education courses and program offerings in the Northeastern Maryland region;

(6) examine all existing and planned facilities and resources that are or may be available to meet the need for higher education in Northeastern Maryland;

(7) examine any other matter relevant to meeting the need for higher education in Northeastern Maryland as determined by the Task Force; and

(8) make recommendations regarding:

(i) higher education needs in Northeastern Maryland;

(ii) the participation of all segments of higher education in meeting the higher education needs in Northeastern Maryland;

(iii) whether or not the current higher education institutions and centers are meeting the higher education needs of the region;

(iv) whether or not the creation of a new higher education center is the best way to meet the higher education needs of the Northeastern Maryland region; and

(v) the governance structure and organization of a new regional higher education center if the Task Force recommends the creation of such a center.

(h) On or before December 1, 2011, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Base Realignment and Closure.

~~**Article – Education**~~

~~**SUBTITLE 3A. NORTHEASTERN MARYLAND HIGHER EDUCATION AND APPLIED TECHNOLOGY CENTER.**~~

~~**24–3A–01.**~~

~~**(A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.**~~

~~(B) "CENTER" MEANS THE NORTHEASTERN MARYLAND HIGHER EDUCATION AND APPLIED TECHNOLOGY CENTER.~~

~~(C) "BOARD" MEANS THE BOARD OF GOVERNORS OF THE NORTHEASTERN MARYLAND HIGHER EDUCATION AND APPLIED TECHNOLOGY CENTER.~~

~~(D) "COMMISSION" MEANS THE MARYLAND HIGHER EDUCATION COMMISSION.~~

~~24–3A–02.~~

~~THERE IS A NORTHEASTERN MARYLAND HIGHER EDUCATION AND APPLIED TECHNOLOGY CENTER, THAT IS GOVERNED BY A BOARD OF GOVERNORS.~~

~~24–3A–03.~~

~~(A) THE BOARD CONSISTS OF THE FOLLOWING NINE VOTING MEMBERS:~~

~~(1) FIVE MEMBERS APPOINTED BY THE GOVERNOR;~~

~~(2) THREE MEMBERS APPOINTED BY THE HARFORD COUNTY EXECUTIVE; AND~~

~~(3) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE CECIL COUNTY BOARD OF COMMISSIONERS.~~

~~(B) (1) EACH MEMBER SERVES FOR A TERM OF 5 YEARS AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2011.~~

~~(3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(C) (1) THE MEMBERS OF THE BOARD SHALL APPOINT ONE OF THE VOTING MEMBERS TO ACT AS CHAIR.~~

~~(2) THE VOTING MEMBERS MAY ELECT OTHER OFFICERS AND ESTABLISH COMMITTEES, INCLUDING ADVISORY COMMITTEES, AS NEEDED.~~

~~(D) IN ADDITION TO THE NINE VOTING MEMBERS, THE FOLLOWING INDIVIDUALS SHALL SERVE AS EX OFFICIO, NONVOTING MEMBERS:~~

~~(1) THE COMMANDING OFFICER OF THE ABERDEEN PROVING GROUND, OR THE COMMANDING OFFICER'S DESIGNEE;~~

~~(2) A REPRESENTATIVE OF THE CECIL COUNTY OFFICE OF ECONOMIC DEVELOPMENT;~~

~~(3) A REPRESENTATIVE OF THE HARFORD COUNTY OFFICE OF ECONOMIC DEVELOPMENT; AND~~

~~(4) A REPRESENTATIVE OF THE SUSQUEHANNA WORKFORCE NETWORK.~~

~~(E) A MEMBER OF THE BOARD:~~

~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD; BUT~~

~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.~~

~~24–3A–04.~~

~~(A) IN ADDITION TO THE OTHER POWERS EXPRESSLY GRANTED AND DUTIES IMPOSED BY THIS TITLE, AND SUBJECT TO THE AUTHORITY OF THE COMMISSION, THE BOARD HAS ONLY THE POWERS AND DUTIES SET FORTH IN THIS SECTION.~~

~~(B) THE BOARD SHALL:~~

~~(1) EXERCISE GENERAL CONTROL OVER THE CENTER;~~

~~(2) KEEP SEPARATE RECORDS AND MINUTES; AND~~

~~(3) ADOPT REASONABLE RULES, REGULATIONS, OR BYLAWS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

~~(C) THE BOARD MAY FIX THE SALARIES AND TERMS OF EMPLOYMENT OF THE DIRECTOR AND OTHER EMPLOYEES OF THE CENTER.~~

~~(D) THE BOARD MAY PURCHASE, LEASE, OR OTHERWISE ACQUIRE ANY PROPERTY IT CONSIDERS NECESSARY FOR THE OPERATION OF THE CENTER.~~

~~(E) (1) THE BOARD MAY SELL, LEASE, OR OTHERWISE DISPOSE OF CENTER ASSETS OR PROPERTY.~~

~~(2) THE DIRECTOR OF THE CENTER OR THE CHAIR OF THE BOARD MAY EXECUTE A CONVEYANCE OR OTHER LEGAL DOCUMENT UNDER AN APPROPRIATE RESOLUTION OF THE BOARD.~~

~~(F) THE BOARD SHALL ENSURE THAT ALL ACADEMIC PROGRAMS AND POLICIES OF THE CENTER ARE IN COMPLIANCE WITH THE POLICIES OF AND APPROVED BY THE COMMISSION.~~

~~(G) THE BOARD MAY ENTER INTO CONTRACTS OR OTHER AGREEMENTS WITH ANY INSTITUTION OF HIGHER EDUCATION FOR THE PROVISION OF UPPER DIVISION UNDERGRADUATE AND GRADUATE PROGRAMS TO MEET THE HIGHER EDUCATION NEEDS OF NORTHEASTERN MARYLAND.~~

~~(H) THE BOARD MAY APPLY, ACCEPT, AND EXPEND ANY GIFT, APPROPRIATION, OR GRANT FROM THE STATE, COUNTY, OR FEDERAL GOVERNMENT OR ANY OTHER PERSON.~~

~~(I) THE BOARD MAY CHARGE REASONABLE FEES TO COVER THE OVERHEAD COSTS ASSOCIATED WITH PROVIDING UPPER DIVISION UNDERGRADUATE AND GRADUATE PROGRAMS.~~

~~(J) THE BOARD MAY SUE AND BE SUED.~~

~~(K) THE BOARD MAY MAKE AGREEMENTS WITH THE FEDERAL, STATE, OR COUNTY GOVERNMENTS OR ANY OTHER PERSON, IF IT CONSIDERS THE AGREEMENT ADVISABLE FOR THE OPERATION OF THE CENTER.~~

~~(L) THE BOARD MAY ADOPT A CORPORATE SEAL.~~

~~(M) IN ADDITION TO OTHER REPORTS THAT MAY BE REQUIRED BY THE COMMISSION, THE BOARD SHALL:~~

~~(1) KEEP RECORDS THAT ARE CONSISTENT WITH SOUND BUSINESS PRACTICES AND ACCOUNTING RECORDS USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES;~~

~~(2) CAUSE AN AUDIT BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT TO BE MADE OF THE ACCOUNTS AND TRANSACTIONS OF THE CENTER AND THE CONCLUSION OF EACH FISCAL YEAR; AND~~

~~(3) FOR ANY STATE MONEYS, BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS, IN ACCORDANCE WITH §§ 2–1220 THROUGH 2–1227 OF THE STATE GOVERNMENT ARTICLE.~~

~~(N) THE BOARD SHALL ENTER INTO AN AGREEMENT WITH HARFORD COUNTY TO ESTABLISH GUIDELINES FOR THE USE AND OPERATION OF THE CENTER.~~

~~24–3A–05.~~

~~(A) THE BOARD SHALL APPOINT A DIRECTOR OF THE CENTER.~~

~~(B) THE DIRECTOR SHALL:~~

~~(1) REPORT DIRECTLY TO THE BOARD;~~

~~(2) RECOMMEND THE APPOINTMENT BY THE BOARD OF EMPLOYEES NECESSARY FOR THE EFFICIENT ADMINISTRATION OF THE CENTER;~~

~~(3) RECOMMEND THE DISCHARGE OF EMPLOYEES FOR GOOD CAUSE AND IN ACCORDANCE WITH APPLICABLE LAWS AND POLICIES;~~

~~(4) BE RESPONSIBLE TO THE BOARD FOR THE CONDUCT OF THE CENTER AND FOR ITS ADMINISTRATION AND SUPERVISION;~~

~~(5) ATTEND ALL MEETINGS OF THE BOARD, EXCEPT THOSE INVOLVING THE DIRECTOR'S PERSONAL POSITION; AND~~

~~(6) PERFORM OTHER DUTIES AS ASSIGNED BY THE BOARD.~~

~~24–3A–06.~~

~~(A) THE BUDGET OF THE CENTER, AS DEVELOPED BY THE BOARD, SHALL:~~

~~(1) BE SUBMITTED TO THE COMMISSION AND THE APPROPRIATE HARFORD AND CECIL COUNTY GOVERNMENT OFFICIALS FOR INFORMATIONAL PURPOSES; AND~~

~~(2) INCLUDE PERSONNEL DETAIL.~~

~~(B) REQUESTS FOR APPROPRIATIONS FOR OPERATING EXPENSES FROM HARFORD AND CECIL COUNTIES SHALL BE MADE TO THE APPROPRIATE COUNTY OFFICIALS IN ACCORDANCE WITH:~~

~~(1) APPLICABLE COUNTY PROCEDURES AND REQUIREMENTS; OR~~

~~(2) AN AGREEMENT WITH THE APPROPRIATE COUNTY OFFICIALS.~~

~~(C) REQUESTS FOR STATE APPROPRIATIONS FOR SPECIFIC PROJECTS SHALL BE SUBMITTED TO THE COMMISSION.~~

~~(D) PROPOSALS FOR CAPITAL PROJECTS, EITHER NEW OR SUBSTANTIAL CHANGES TO EXISTING PROJECTS, SHALL BE SUBMITTED TO THE STATE DEPARTMENT OF BUDGET AND FISCAL PLANNING.~~

~~(E) THE MAJOR FUNCTIONS OF THE CENTER SHALL GENERALLY CONFORM TO THOSE CONTAINED IN THE CURRENT COLLEGE AND UNIVERSITY INDUSTRY AUDIT GUIDE ISSUED BY THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS.~~

~~24–3A–07.~~

~~(A) THE COUNTY GOVERNMENTS OF HARFORD AND CECIL COUNTIES MAY APPROPRIATE MONEY TO PAY THE COST OF ESTABLISHING AND OPERATING THE CENTER, INCLUDING THE ESTABLISHMENT OF A RESERVE FUND FOR MAINTENANCE AND REPAIR.~~

~~(B) THE EXPENDITURE OF APPROPRIATED FUNDS SHALL BE CONSISTENT WITH ALL RELEVANT STATE LAWS.~~

~~24–3A–08.~~

~~(A) (1) THE BOARD MAY CARRY COMPREHENSIVE LIABILITY INSURANCE TO PROTECT THE BOARD, ITS AGENTS, AND EMPLOYEES.~~

~~(2) THE PURCHASE OF THE INSURANCE IS FOR AN EDUCATIONAL PURPOSE AND IS A VALID EDUCATIONAL EXPENSE.~~

~~(B) (1) THE BOARD MAY ADOPT STANDARDS FOR THE POLICIES, INCLUDING A MINIMUM LIABILITY COVERAGE.~~

~~(2) ANY POLICY PURCHASED AFTER THE ADOPTION OF THESE STANDARDS SHALL CONFORM TO THESE STANDARDS.~~

~~(C) THE BOARD COMPLIES WITH THIS SECTION IF IT IS SELF–INSURED FOR AT LEAST $100,000 AND NOT MORE THAN $500,000 PER OCCURRENCE, UNDER THE RULES AND REGULATIONS OF THE STATE INSURANCE COMMISSIONER.~~

~~(D) THIS SECTION DOES NOT PREVENT THE BOARD, ON ITS OWN BEHALF, FROM RAISING THE DEFENSE OF SOVEREIGN IMMUNITY TO ANY AMOUNT OF A CLAIM IN EXCESS OF THE LIMIT OF AN INSURANCE POLICY OR IN EXCESS OF $100,000 IN THE CASE OF SELF–INSURANCE.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial voting members of the Board of Governors of the Center shall expire as follows:~~

~~(1) 2 members in 2012;~~

~~(2) 2 members in 2013;~~

~~(3) 2 members in 2014;~~

~~(4) 3 members in 2015.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Northeastern Maryland Higher Education and Applied Technology Center not become a degree–granting institution of higher education, but instead remain a facility where already existing degree–granting institutions may offer their programs in order to meet the higher education needs of the Northeastern Maryland region.~~

SECTION ~~4.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 2011. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2012, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 19, 2011.

Chapter 615

(House Bill 1168)

AN ACT concerning

Employees' Retirement and Pension Systems – Reemployment of Retirees – Health Care Practitioners

FOR the purpose of repealing the termination provision applicable to certain reemployment of retirees in the Employees' Retirement and Pension Systems; and generally relating to the reemployment of retirees in the Employees' Retirement and Pension Systems.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 22–406(c)(4)(viii) and 23–407(c)(4)(vi)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Chapter 473 of the Acts of the General Assembly of 2009
Section 2

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

22–406.

(c) (4) Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an allowance under this subsection does not apply to:

(viii) a retiree of the Employees' Retirement System who is reemployed on a contractual basis by the Department of Health and Mental Hygiene as a health care practitioner, as defined in § 1–301 of the Health Occupations Article, in:

1. a State residential center as defined in § 7–101 of the Health – General Article;

2. a chronic disease center subject to Title 19, Subtitle 5 of the Health – General Article;

3. a State facility as defined in § 10–101 of the Health – General Article; or

4. a local health department subject to Title 3, Subtitle 2 of the Health – General Article; or

23–407.

(c) (4) Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an allowance under this subsection does not apply to:

(vi) a retiree of the Employees' Pension System who is reemployed on a contractual basis by the Department of Health and Mental Hygiene as a health care practitioner, as defined in § 1–301 of the Health Occupations Article in:

1. a State residential center as defined in § 7–101 of the Health – General Article;

2. a chronic disease center subject to Title 19, Subtitle 5 of the Health – General Article;

3. a State facility as defined in § 10–101 of the Health – General Article; or

4. a local health department subject to Title 3, Subtitle 2 of the Health – General Article; or

Chapter 473 of the Acts of 2009

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009. **[**It shall remain effective for a period of 2 years and, at the end of June 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ *June* 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 616

(House Bill 1182)

AN ACT concerning

Certificates of Need – Percutaneous Coronary Intervention Services

FOR the purpose of prohibiting a hospital, notwithstanding any other provision of law, from establishing a non–primary percutaneous coronary intervention (PCI) program or providing non–primary PCI services, unless the hospital was operating a PCI program on a certain date through a certain certificate of need

or a certain waiver; requiring the Maryland Health Care Commission, on or before a certain date, to develop and report recommendations for statutory changes relating to PCI services; providing for the termination of this Act; and generally relating to percutaneous coronary intervention and certificates of need.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, notwithstanding any other provision of law, a hospital may not establish a non–primary percutaneous coronary intervention (PCI) program or provide non–primary PCI services unless the hospital was operating a PCI program on January 1, 2011, through:

(1) a certificate of need for an open heart surgery program; or

(2) a non–primary waiver in good standing from certificate of need and State Health Plan requirements, issued by the Maryland Health Care Commission.

SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 31, 2011, the Maryland Health Care Commission shall:

(1) develop recommendations for statutory changes needed to provide appropriate oversight of PCI services; and

(2) report its recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011. It shall remain effective for a period of 1 year and, at the end of June 30, 2012, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 19, 2011.

Chapter 617

(House Bill 1184)

AN ACT concerning

Department of Transportation – Employee Grievance Procedures – Streamlined Process

FOR the purpose of altering a certain provision of law concerning regulations adopted by the Secretary of Transportation governing grievance procedures for employees under the Department of Transportation; authorizing an aggrieved

employee to appeal certain decisions to the Office of Administrative Hearings or to a certain other party; repealing certain provisions regarding the administration of certain disciplinary appeals by the Secretary of Budget and Management; repealing provisions that entitled certain employees in the Department to certain appeal procedures available to certain other State employees; requiring the Secretary of Transportation to establish certain appeal procedures for disciplinary action through regulations and policy; and generally relating to regulations concerning disciplinary action appeals for personnel in the Department of Transportation.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 2–103.4(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.4(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

2–103.4.

(a) Without regard to the laws of this State relating to other State employees, the Secretary of Transportation may establish a human resources management system for employees of the Department and its units. Any human resources management system that the Secretary establishes under this section shall:

(1) Be based on merit;

(2) Include fair and equitable procedures for appointment, hiring, promotion, layoff, removal, termination, redress of grievances, and reinstatement of employees; and

(3) Permit employees to participate in the pension and retirement systems for employees of the State of Maryland authorized under Division II of the State Personnel and Pensions Article or any other pension and retirement systems authorized by law.

(d) (1) The Secretary shall adopt regulations to govern the human resources management system established under this section.

(2) The regulations shall address procedures for leave, appointment, hiring, promotion, layoff, removal, termination, redress of grievances, and reinstatement of employees and shall be presented to the Joint Committee on Administrative, Executive, and Legislative Review under Title 10, Subtitle 1 of the State Government Article.

(3) The regulations shall provide that before taking any disciplinary action related to employee misconduct, an appointing authority or designated representative shall:

(i) Investigate the alleged misconduct;

(ii) Meet with the employee;

(iii) Consider any mitigating circumstances;

(iv) Determine the appropriate disciplinary action, if any, to be imposed; and

(v) Give the employee a written notice of the disciplinary action to be taken and the employee's appeal rights.

(4) (i) The regulations shall provide that the appointing authority or designated representative may suspend an employee, with or without pay, pending the filing of charges for termination.

(ii) If an employee is suspended without pay, the appointing authority or designated representative shall provide to the Secretary the charges for termination within 30 calendar days after the first day of the suspension period.

(iii) If the appointing authority or designated representative files the charges for termination after the 30–day period described in subparagraph (ii) of this paragraph, the employee shall be placed on leave with pay until the Secretary receives the charges.

(5) The regulations shall provide that an appointing authority or a designated representative and an employee may agree to the holding in abeyance of a disciplinary action for a period not to exceed 18 months in order to permit an employee to improve conduct or performance.

(6) **[**Subject to the provisions of paragraph (7) of this subsection, the**]** **THE** employee grievance procedures shall include, at a minimum, the following sequence of levels of appeal:

(i) Initially an aggrieved employee shall present any grievance to the appointing authority or a designated representative, who shall render a written decision;

(ii) Any appeal shall be presented to the Secretary or a designated representative, who shall render a written decision; **AND**

(iii) If the dispute is still unresolved, the **[**appeal shall be referred**]** **AGGRIEVED EMPLOYEE MAY APPEAL** to the Office of Administrative Hearings or a mutually agreed upon third party arbiter **[**who**]** **THAT** may not hear grievances relating to classification, salary, or fiscal matters**[**; and

(iv) For disciplinary actions only, either party may appeal any decision of the Office of Administrative Hearings or a third party arbiter to the Secretary of Budget and Management or that Secretary's designee**]**.

(7) **[**These regulations shall include procedures that ensure that all employees of the Department covered by this section and all employees hired after June 1, 1992 shall be entitled to the same levels of appeal provided for in the State employees' grievance procedures contained in Title 12 of the State Personnel and Pensions Article. Any disciplinary action taken against such employees by the Department shall include the same levels of appeal contained in Division I of the State Personnel and Pensions Article and its implementing regulations**]** **THE SECRETARY SHALL ESTABLISH APPEAL PROCEDURES FOR DISCIPLINARY ACTIONS THROUGH REGULATIONS AND POLICY**.

(8) (i) During any stage of a complaint, grievance, or other administrative or legal action that concerns State employment by a full–time or part–time executive service, career service, or commission plan employee of the Department, or by a temporary or contractual employee of the Department, the employee may not be subjected to coercion, discrimination, interference, reprisal, or restraint by or initiated on behalf of the Department solely as a result of that employee's pursuit of a grievance, complaint, or other administrative or legal action that concerns State employment.

(ii) An employee of the Department may not intentionally take or assist in taking an act of coercion, discrimination, interference, reprisal, or restraint against another employee solely as a result of that employee's pursuit of a grievance, complaint, or other administrative or legal action that concerns State employment.

(iii) An employee who violates the provisions of this paragraph is subject to disciplinary action, including termination of employment.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 618

(House Bill 1245)

AN ACT concerning

Recordation Tax and State Transfer Tax – Exemptions

FOR the purpose of exempting from recordation tax and State transfer tax certain instruments of writing transferring property from a transferor to a grandparent or stepgrandparent; and generally relating to an exemption from recordation tax and State transfer tax for certain instruments of writing transferring property from a transferor to certain relatives.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13–207(a)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – Property

12–108.

(c) (1) When property is transferred subject to a mortgage or deed of trust, the recordation tax does not apply to the principal amount of debt assumed by the transferee, if the instrument of writing transfers the property from the transferor to a:

(i) spouse or former spouse;

(ii) son, daughter, stepson, or stepdaughter;

(iii) parent or stepparent;

(iv) son–in–law, daughter–in–law, stepson–in–law, or stepdaughter–in–law;

(v) parent–in–law or stepparent–in–law;

(vi) brother, sister, stepbrother, or stepsister;

(vii) grandchild or stepgrandchild; **[**or**]**

(viii) **GRANDPARENT OR STEPGRANDPARENT; OR**

(IX) domestic partner or former domestic partner.

(2) (i) To qualify as a domestic partner under this subsection, an individual shall submit evidence of a domestic partnership.

(ii) To qualify as a former domestic partner under this subsection, an individual shall submit evidence of dissolution of a domestic partnership.

(3) The exemption under paragraph (1) of this subsection for transfers to a domestic partner or former domestic partner of the transferor applies only to an instrument of writing for residential property.

13–207.

(a) An instrument of writing is not subject to transfer tax to the same extent that it is not subject to recordation tax under:

(2) § 12–108(c) of this article (Transfer between relatives and domestic partners);

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 619

(House Bill 1252)

AN ACT concerning

Natural Resources – Large–Scale Striped Bass Poaching – Penalties

FOR the purpose of establishing that a person who commits certain fishing violations with respect to striped bass, and the violation results in the unlawful capture of striped bass worth over a certain value as determined in a certain manner, is subject to imprisonment not exceeding a certain amount of time; and generally relating to penalties for large–scale striped bass poaching.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1201
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

4–1201.

(a) Except as otherwise specifically provided in this title, a person who violates any provision of this title is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding $1,000, with costs imposed in the discretion of the court.

(b) Unless another penalty is specifically provided elsewhere in this title, any person found guilty of a second or subsequent violation of any provision of this title is subject to a fine not exceeding $2,000, or imprisonment not exceeding one year, or both, with costs imposed in the discretion of the court. For the purpose of this subsection, a second or subsequent violation is one which has occurred within two years of any prior violation of this title.

(c) In addition to any administrative penalty provided in this title, violation of any rule or regulation adopted by any unit within the Department pursuant to the provisions of this title is a misdemeanor and is punishable as provided in subsections (a) and (b).

(d) **(1)** In addition to any other applicable penalty set forth in subsections (a) and (b) of this section, a person who violates any provision of this title or any regulations adopted by the Secretary under the authority of this title concerning the taking of or creel limits for striped bass, commonly known as rockfish, shall be subject to the following penalties:

[(1)**]** **(I)** For a first violation, a fine not exceeding $1,500 per fish;

[(2)**]** **(II)** For a second violation, within a 2–year period, a fine not exceeding $2,500 per fish and revocation of the fishing license for a period not less than 1 year but not more than 2 years; and

[(3)**]** **(III)** For a third violation within a 4–year period, a fine not exceeding $2,500 per fish and revocation of the fishing license for a period not less than 2 years but not more than 5 years.

(2) IN ADDITION TO ANY OTHER PENALTY PROVIDED UNDER THIS TITLE, A PERSON WHO COMMITS ANY OF THE FOLLOWING VIOLATIONS, AND THE VIOLATION RESULTS IN THE UNLAWFUL CAPTURE OF OVER $20,000 WORTH OF STRIPED BASS AS DETERMINED BY THE PROCEEDS OF THE UNLAWFUL CAPTURE, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS:

(I) USING UNLAWFUL GEAR;

(II) HARVESTING DURING CLOSED SEASONS;

(III) HARVESTING FROM A CLOSED AREA;

(IV) ~~EXCEEDING~~ VIOLATING ESTABLISHED HARVEST, CATCH, OR SIZE LIMITS; OR

(V) VIOLATING TAGGING AND REPORTING REQUIREMENTS.

(e) A common carrier transporting fish who is not the buyer, seller, or catcher of the fish or is not controlled by the buyer, seller, or catcher of the fish is not subject to any penalty under this section for transporting fish which is either unlawfully caught or of unlawful size provided that the operator of the common carrier has in his possession a valid bill of lading, stating the origin, shipper, destination and receiver of the fish and the common carrier does not know or have reason to know that the fish were unlawfully caught or of unlawful size.

(f) In addition to any other applicable penalty set forth in this title, a person who unlawfully takes oysters from a leased oyster bottom, an oyster sanctuary, an oyster reserve, or an area closed to shellfish harvest by the Department of the Environment, when the area is designated and marked by buoys or other signage or the person knew or should have known that taking the oysters from the area was unlawful, is subject to a fine not exceeding $3,000.

(g) (1) If a person is convicted of violating any provision of this title and the violation causes or results in the injury, death, or destruction of any fish, including a protected species of animal, in addition to any other penalty provided in this title, the Secretary may order the person to pay restitution to the Department for the resource value of the fish, as determined by the regulations adopted by the Department under paragraph (2) of this subsection.

(2) The Department, in consultation with the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, shall adopt regulations that establish a schedule of resource values for individual species.

(3) If two or more defendants are convicted for the same violation causing or resulting in the injury, death, or destruction of protected species of animals, the court may impose restitution against the defendants jointly and equally.

(4) (i) Restitution under this section shall be paid within 30 days or a time prescribed by regulation.

(ii) In each instance, restitution paid under this section shall be credited to the Department to be used only for the replacement, habitat management, or enforcement programs for injured, killed, or destroyed fish or protected species of animals.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 620

(House Bill 1254)

AN ACT concerning

Environment – Reduction of Lead Risk in Housing – Registration and Fees

FOR the purpose of authorizing the Department of the Environment to alter by regulation the date by which certain rental dwelling units must be registered for a certain purpose and certain fees must be paid; and generally relating to the reduction of lead risk in housing.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–812 and 6–843
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

6–812.

(a) An owner who has registered an affected property under § 6–811 of this subtitle shall:

(1) Renew the registration of the affected property on or before December 31 of each year **OR ACCORDING TO A SCHEDULE ESTABLISHED BY THE DEPARTMENT BY REGULATION**; and

(2) Update the information contained in the owner's registration required by § 6–811(b)(1) through (5) of this subtitle within 30 days after any change in the information required in the registration.

(b) An owner who first acquires affected property after December 1, 1995 shall register the affected property under § 6–811 of this subtitle within 30 days after the acquisition.

6–843.

(a) (1) Except as provided in this subsection and subsection (b) of this section, and in cooperation with the Department of Housing and Community Development, the State Department of Assessments and Taxation, and other appropriate governmental units, the Department shall provide for the collection of an annual fee for every rental dwelling unit in the State.

(2) The annual fee for an affected property is $15.

(3) (i) Subject to the provisions of subparagraphs (ii) and (iii) of this paragraph, on or before December 31, 2000, the annual fee for a rental dwelling unit built after 1949 that is not an affected property is $5. After December 31, 2000, there is no annual fee for a rental dwelling unit built after 1949 that is not an affected property.

(ii) The owner of a rental dwelling unit built after 1949 that is not an affected property may not be required to pay the fee provided under this paragraph if the owner certifies to the Department that the rental dwelling unit is lead free pursuant to § 6–804 of this subtitle.

(iii) An owner of a rental dwelling unit who submits a report to the Department that the rental dwelling unit is lead free pursuant to § 6–804 of this subtitle shall include a $10 processing fee with the report.

(b) The fees imposed under this section do not apply to any rental dwelling unit:

(1) Built after 1978; or

(2) Owned and operated by a unit of federal, State, or local government, or any public, quasi–public, or municipal corporation.

(c) The fee imposed under this section shall be paid on or before December 31, 1995, or the date of registration of the affected property under Part III of this subtitle and on or before December 31 of each year thereafter **OR ACCORDING TO A SCHEDULE ESTABLISHED BY THE DEPARTMENT BY REGULATION**.

(d) An owner who fails to pay the fee imposed under this section is liable for a civil penalty of up to triple the amount of each registration fee unpaid that, together with all costs of collection, including reasonable attorney's fees, shall be collected in a civil action in any court of competent jurisdiction.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 621

(House Bill 1314)

AN ACT concerning

Public Service Commission – Public Service Company – Definition

FOR the purpose of clarifying that certain utility services provided by a campground to campers incident to the campground's primary business of operating and maintaining the campground are not included in the definition of a "public service company" under a certain provision of law; and generally relating to the definition of a public service company.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 1–101(a)
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 1–101(x)
Annotated Code of Maryland
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Utilities

1–101.

(a) In this division the following words have the meanings indicated.

(x) **(1)** "Public service company" means a common carrier company, electric company, gas company, sewage disposal company, telegraph company, telephone company, water company, or any combination of public service companies.

(2) "PUBLIC SERVICE COMPANY" DOES NOT INCLUDE A CAMPGROUND THAT PROVIDES WATER, ELECTRIC, GAS, SEWAGE, OR TELEPHONE SERVICE TO CAMPERS INCIDENT TO THE CAMPGROUND'S PRIMARY BUSINESS OF OPERATING AND MAINTAINING THE CAMPGROUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.

Chapter 622

(House Bill 1347)

AN ACT concerning

Southern Maryland Higher Education Council

FOR the purpose of establishing a Southern Maryland Higher Education Council; providing for the composition of the Council; requiring the Governor to appoint a chair from among the Council members; ~~requiring the Maryland Higher Education Commission to provide staff for the Council;~~ prohibiting a member from receiving compensation but entitling a member to reimbursement for certain expenses; providing for the duties of the Council; requiring the Council to submit an interim and a final report on its findings and recommendations on or before certain dates; providing for the termination of the Council; and generally relating to the Southern Maryland Higher Education Council.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Southern Maryland Higher Education Council.

(b) The Council consists of the following 12 members:

(1) the Secretary of Higher Education, or the Secretary's designee;

(2) the Chancellor of the University System of Maryland, or the Chancellor's designee;

(3) the President of St. Mary's College of Maryland, or the President's designee;

(4) the President of the College of Southern Maryland, or the President's designee;

(5) the President of the Maryland Independent College and University Association, or the President's designee;

(6) the Chair of the Board of Governors of the Southern Maryland Higher Education Center, or the Chair's designee;

(7) the Assistant Secretary of the Navy for Manpower and Reserve Affairs, or the Assistant Secretary's designee;

(8) the Chair of the Governor's Southern Maryland Workforce Investment Board, or the Chair's designee;

(9) the President of the Board of Directors of the Patuxent Partnership, or the President's designee;

(10) the President of the Board of County Commissioners of Calvert County, or the President's designee;

(11) the President of the Board of County Commissioners of Charles County, or the President's designee; and

(12) the President of the Board of County Commissioners of St. Mary's County, or the President's designee.

(c) (1) The Governor shall appoint a chair from among the members of the Council.

(2) The members may elect other officers and establish committees, including advisory committees, as needed.

~~(d) The Maryland Higher Education Commission shall provide staff for the Council.~~

~~(e)~~ (d) A member of the Council:

(1) may not receive compensation as a member of the Council; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

~~(f)~~ (e) (1) The Council shall develop a strategy for improving access to higher education for the residents of Southern Maryland.

(2) In developing a strategy for improving access to higher education for the residents of Southern Maryland, the Council shall:

(i) examine the need for higher education in Southern Maryland;

(ii) examine whether or not the current higher education institutions and centers in Southern Maryland, including the Southern Maryland Higher Education Center, are meeting the higher education needs of the region;

(iii) if a determination is made that additional higher education needs exist in Southern Maryland, recommend the best way to meet the additional educational needs; and

(iv) develop plans that include short–term and long–term strategies for improving access to higher education in Southern Maryland.

~~(g)~~ (f) On or before December 1, 2011, the Council shall present an interim report of its findings and recommendations, including a short–term strategy for improving access to higher education in Southern Maryland, to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

~~(h)~~ (g) On or before December 1, 2012, the Council shall present a final report of its findings and recommendations, including a long–term strategy for improving access to higher education in Southern Maryland, to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011. It shall remain effective for a period 2 of years and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 19, 2011.

Chapter 623

(House Bill 302)

AN ACT concerning

Inmates – Life Imprisonment – Parole Approval

FOR the purpose of ~~repealing certain provisions that provide that inmates serving a term of life imprisonment may be paroled only with the Governor's approval;~~ requiring certain parole decisions to be transmitted to the Governor under certain circumstances; authorizing the Governor to disapprove certain parole decisions in a certain manner; providing that if the Governor does not disapprove a certain parole decision in a certain manner within a certain time period, the decision becomes effective; and generally relating to sentences of life imprisonment.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 4–305(b) and 7–301(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Correctional Services

4–305.

(b) (1) Except as provided in paragraph (2) of this subsection, an inmate sentenced to life imprisonment is not eligible for parole consideration until the inmate has served 15 years or the equivalent of 15 years when considering allowances for diminution of the inmate's period of confinement as provided under Title 3, Subtitle 7 of this article and § 6–218 of the Criminal Procedure Article.

(2) An inmate sentenced to life imprisonment as a result of a proceeding under § 2–303 or § 2–304 of the Criminal Law Article is not eligible for parole consideration until the inmate has served 25 years or the equivalent of 25 years when considering allowances for diminution of the inmate's period of confinement as provided under Title 3, Subtitle 7 of this article and § 6–218 of the Criminal Procedure Article.

~~[~~(3) ~~An~~ **SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, AN** eligible person who is serving a term of life imprisonment may be paroled only with the Governor's approval.~~]~~

(4) (I) IF THE BOARD OF REVIEW DECIDES TO GRANT PAROLE TO AN ELIGIBLE PERSON SENTENCED TO LIFE IMPRISONMENT WHO HAS SERVED 25 YEARS WITHOUT APPLICATION OF DIMINUTION OF CONFINEMENT CREDITS, AND THE SECRETARY APPROVES THE DECISION, THE DECISION SHALL BE TRANSMITTED TO THE GOVERNOR.

(II) THE GOVERNOR MAY DISAPPROVE THE DECISION BY WRITTEN TRANSMITTAL TO THE BOARD OF REVIEW.

(III) IF THE GOVERNOR DOES NOT DISAPPROVE THE DECISION WITHIN ~~90~~ *180* DAYS AFTER RECEIPT, THE DECISION BECOMES EFFECTIVE.

7–301.

(d) (1) Except as provided in paragraphs (2) and (3) of this subsection, an inmate who has been sentenced to life imprisonment is not eligible for parole consideration until the inmate has served 15 years or the equivalent of 15 years considering the allowances for diminution of the inmate's term of confinement under § 6–218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article.

(2) An inmate who has been sentenced to life imprisonment as a result of a proceeding under § 2–303 or § 2–304 of the Criminal Law Article is not eligible for parole consideration until the inmate has served 25 years or the equivalent of 25 years considering the allowances for diminution of the inmate's term of confinement under § 6–218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article.

(3) (i) If an inmate has been sentenced to imprisonment for life without the possibility of parole under § 2–203 or § 2–304 of the Criminal Law Article, the inmate is not eligible for parole consideration and may not be granted parole at any time during the inmate's sentence.

(ii) This paragraph does not restrict the authority of the Governor to pardon or remit any part of a sentence under § 7–601 of this title.

~~[~~(4) ~~If~~ **SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, IF** eligible for parole under this subsection, an inmate serving a term of life imprisonment may only be paroled with the approval of the Governor.~~]~~

(5) (I) IF THE COMMISSION DECIDES TO GRANT PAROLE TO AN INMATE SENTENCED TO LIFE IMPRISONMENT WHO HAS SERVED 25 YEARS WITHOUT APPLICATION OF DIMINUTION OF CONFINEMENT CREDITS, THE DECISION SHALL BE TRANSMITTED TO THE GOVERNOR.

(II) THE GOVERNOR MAY DISAPPROVE THE DECISION BY WRITTEN TRANSMITTAL TO THE COMMISSION.

(III) IF THE GOVERNOR DOES NOT DISAPPROVE THE DECISION WITHIN ~~90~~ *180* DAYS AFTER RECEIPT, THE DECISION BECOMES EFFECTIVE.

SECTION 2. AND BE IT FURTHER ENACTED, That, if the Governor does not, within ~~90~~ *180* days after the effective date of this Act, by written transmittal to the Patuxent Institution Board of Review or the Maryland Parole Commission, as appropriate, disapprove parole for an individual sentenced to life imprisonment who has served 25 years without application of diminution of confinement credits and whose parole decision is pending gubernatorial approval as of the effective date of this Act, the parole decision becomes effective.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 28, 2011.

Chapter 624

(Senate Bill 367)

AN ACT concerning

Alcoholic Beverages – Anne Arundel County – Entertainment Facility

FOR the purpose of authorizing the Board of License Commissioners of Anne Arundel County to issue a certain entertainment facility license to certain persons for certain purposes; providing for the scope of the entertainment facility license; authorizing the Board to issue a certain entertainment concessionaire license to certain persons for certain purposes; providing for the scope of the entertainment concessionaire license; providing that beer, wine, and liquor sold under an entertainment facility license or an entertainment concessionaire license may be taken into and consumed anywhere in the entertainment facility; specifying that the licenses authorize the playing of music and dancing; providing that certain provisions relating to a special Sunday license do not apply to an entertainment facility license or an entertainment concessionaire license; providing for the annual fees and payment date for the licenses; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and entertainment facilities in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–202(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

8–202.

(a) This section applies only in Anne Arundel County.

(K) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "CONCESSIONAIRE" MEANS A LESSEE, SUBLESSEE, OR ANY OTHER OPERATOR OF AN ESTABLISHMENT THAT:

1. ENGAGES IN THE DAILY SALE OF BEER, WINE, AND LIQUOR ON ITS PREMISES FOR CONSUMPTION ANYWHERE IN AN ENTERTAINMENT FACILITY; AND

2. IS OPERATED AS A CONCESSION <u>ADJACENT TO BUT</u> INDEPENDENT OF THE ENTERTAINMENT FACILITY.

(III) "ENTERTAINMENT FACILITY" MEANS A FACILITY THAT HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(2) (I) THERE IS AN ENTERTAINMENT FACILITY LICENSE.

(II) THE BOARD MAY ISSUE AN ENTERTAINMENT FACILITY LICENSE FOR AN ENTERTAINMENT FACILITY THAT CONTAINS ONE OR MORE ~~RESTAURANTS~~ FOOD SERVICE FACILITIES, BARS, OR LOUNGES~~, OR OTHER ESTABLISHMENTS~~ THAT ARE ~~ASSOCIATED WITH AND SUPPORT~~ PART OF THE OPERATION OF THE ENTERTAINMENT FACILITY.

(III) THE ENTERTAINMENT FACILITY LICENSE ~~MAY~~ SHALL BE ISSUED TO AN INDIVIDUAL OR ENTITY THAT OWNS AN ENTERTAINMENT FACILITY AND HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(IV) AN APPLICANT FOR AN ENTERTAINMENT FACILITY LICENSE NEED NOT MEET ANY LOCATION, VOTING, OR RESIDENCY REQUIREMENTS.

(V) AN ENTERTAINMENT FACILITY LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON ANY PREMISES OF THE ENTERTAINMENT FACILITY THAT IS NOT COVERED BY AN ENTERTAINMENT CONCESSIONAIRE LICENSE FOR CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY.

(3) (I) THERE IS AN ENTERTAINMENT CONCESSIONAIRE LICENSE.

(II) THE BOARD MAY ISSUE AN ENTERTAINMENT CONCESSIONAIRE LICENSE TO A CONCESSIONAIRE ~~AT~~ OPERATING IN CONJUNCTION WITH AN ENTERTAINMENT FACILITY.

(III) THE ENTERTAINMENT CONCESSIONAIRE LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON THE PREMISES OF THE CONCESSIONAIRE FOR CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY.

(4) (I) THE ANNUAL FEE FOR AN ENTERTAINMENT FACILITY LICENSE IS ~~$7,500~~ $15,000.

(II) THE ANNUAL FEE FOR AN ENTERTAINMENT CONCESSIONAIRE LICENSE IS $5,000.

(III) THE ANNUAL LICENSE FEES SHALL BE PAID ON MAY 1 TO THE BOARD.

(5) (I) ~~BEER, WINE, AND LIQUOR THAT IS PURCHASED ANYWHERE IN AN ENTERTAINMENT FACILITY MAY BE TRANSPORTED AND CONSUMED ANYWHERE IN THE ENTERTAINMENT FACILITY~~ AN ~~ENTERTAINMENT FACILITY LICENSE AND A CONCESSIONAIRE LICENSE DO NOT PERMIT OFF–SALES~~ *OFF–SALE PRIVILEGE IS NOT CONFERRED BY AN ENTERTAINMENT FACILITY LICENSE OR AN ENTERTAINMENT CONCESSIONAIRE LICENSE*.

(II) BEER, WINE, AND LIQUOR PURCHASED UNDER AN ENTERTAINMENT FACILITY LICENSE OR ~~A~~ *AN ENTERTAINMENT* CONCESSIONAIRE LICENSE MAY BE TAKEN INTO AND CONSUMED ANYWHERE IN AN ENTERTAINMENT FACILITY.

(6) AN ENTERTAINMENT FACILITY LICENSE AND AN ENTERTAINMENT CONCESSIONAIRE LICENSE AUTHORIZE THE PLAYING OF MUSIC AND DANCING IN THEIR RESPECTIVE LICENSED PREMISES.

(7) SUBSECTION (D) OF THIS SECTION, RELATING TO SPECIAL SUNDAY LICENSES, DOES NOT APPLY TO A LICENSE ISSUED UNDER THIS SUBSECTION.

(8) AN ENTERTAINMENT FACILITY LICENSE OR AN ENTERTAINMENT CONCESSIONAIRE LICENSE MAY NOT BE COUNTED AS A CLASS B OR CLASS H LICENSE FOR PURPOSES OF § 9–102(H–1) OF THIS ARTICLE.

(9) THE LICENSES AND HOLDERS ARE SUBJECT TO ALL LAWS AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES NOT INCONSISTENT WITH THIS SUBSECTION.

(10) ANY PENALTY OR OTHER SANCTION THAT IS IMPOSED FOR A VIOLATION OF A REGULATION OF THE BOARD ON THE LICENSED PREMISES OF THE HOLDER OF AN ENTERTAINMENT CONCESSIONAIRE LICENSE SHALL APPLY TO THE CONCESSIONAIRE THAT THE BOARD DETERMINES TO BE RESPONSIBLE FOR THE VIOLATION.

9–102.

(h) The provisions of subsection (a) of this section do not apply in Anne Arundel County to licenses issued under this article for premises operated as resort complexes **OR ENTERTAINMENT FACILITIES, INCLUDING ENTERTAINMENT CONCESSIONS**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2011.

Chapter 625

(Senate Bill 685)

AN ACT concerning

Unemployment Insurance – Messenger Service Drivers – Delivery

FOR the purpose of authorizing certain messenger service drivers whose work is not covered employment under unemployment insurance law to deliver certain items and use certain methods of delivery; expanding the requirements that the Secretary of Labor, Licensing, and Regulation must find to be satisfied for certain work performed by a certain messenger service driver to not be covered employment; providing that a messenger service driver whose work is not covered employment may deliver emergency medical supplies and certain other items for a messenger service business if the messenger service business provides certain evidence that the driver is excluded from certain coverage; defining a certain term; and generally relating to the delivery of certain items by messenger service drivers under unemployment insurance law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–206(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Labor and Employment

8–206.

(d) **(1) IN THIS SUBSECTION, "MESSENGER SERVICE BUSINESS" MEANS A BUSINESS THAT:**

(I) PRINCIPALLY AND PRIMARILY OFFERS AND PROVIDES TO THE PUBLIC OR COMMERCIAL ESTABLISHMENTS EXPEDITED, TIME CRITICAL, AND SAME DAY AS REQUESTED DELIVERY SERVICE;

(II) DOES NOT MAKE, PRODUCE, SELL, OR DISTRIBUTE WHAT IT DELIVERS; AND

(III) DOES NOT HAVE AN EXCLUSIVE CONTRACTUAL DELIVERY ARRANGEMENT WITH AN INDIVIDUAL OR A COMMERCIAL ESTABLISHMENT.

(2) Work that a messenger service driver performs for a person who is engaged in the messenger service business is not covered employment if the Secretary is satisfied that:

[(1)**]** **(I)** the driver and the person who is engaged in the messenger service business have entered into a written agreement that is currently in effect;

(II) THE WRITTEN AGREEMENT UNDER ITEM (I) OF THIS PARAGRAPH DOES NOT PROHIBIT THE DRIVER FROM PERFORMING FOR MORE THAN ONE PERSON WHO IS ENGAGED IN THE MESSENGER SERVICE BUSINESS;

(III) THE DRIVER IS FREE TO ACCEPT OR REJECT DELIVERY JOBS FROM THE PERSON WHO IS ENGAGED IN THE MESSENGER SERVICE BUSINESS;

[(2)**]** ~~(II)~~ **(IV)** the driver personally provides the vehicle;

[(3)**]** ~~(III)~~ **(V)** compensation is by commission only;

[(4)**]** ~~(IV)~~ **(VI)** the driver may set personal work hours; and

[(5)**]** ~~(V)~~ **(VII)** the written agreement states expressly and prominently that the driver knows:

[(i)**]** **1.** of the responsibility to pay estimated Social Security taxes and State and federal income taxes;

[(ii)**]** **2.** that the Social Security tax the driver must pay is higher than the Social Security tax the driver would pay otherwise; and

[(iii)**]** **3.** that the work is not covered employment.

~~(2)~~ **(3)** **A MESSENGER SERVICE DRIVER FOR A MESSENGER SERVICE BUSINESS WHOSE WORK IS NOT COVERED EMPLOYMENT UNDER PARAGRAPH** ~~(1)~~ **(2) OF THIS SUBSECTION MAY DELIVER** ~~**INDIVIDUALLY ADDRESSED MAIL, MESSAGES, DOCUMENTS IN PAPER OR MAGNETIC FORMAT, SUPPLIES, RECORDS, PARCELS, OR OTHER OBJECTS**~~ **TO THE PUBLIC OR COMMERCIAL ESTABLISHMENTS ON FOOT, BY BICYCLE, OR BY MOTOR VEHICLE:**

(I) INDIVIDUALLY ADDRESSED MAIL, MESSAGES, AND DOCUMENTS IN PAPER OR MAGNETIC FORMAT; AND

(II) EMERGENCY MEDICAL SUPPLIES, RECORDS, PARCELS, OR SIMILAR ITEMS IF THE MESSENGER SERVICE BUSINESS PROVIDES TO THE SECRETARY EVIDENCE OF A WORKER STATUS DETERMINATION FROM THE INTERNAL REVENUE SERVICE OR OTHER EVIDENCE THAT THE MESSENGER SERVICE DRIVER IS EXCLUDED FROM COVERAGE UNDER THE FEDERAL UNEMPLOYMENT TAX ACT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2011.

Joint Resolutions

Signed by the President of the Senate
and the Speaker of the House of Delegates

Joint Resolution 1

(House Joint Resolution 7)

A House Joint Resolution concerning

Election Law – Commission to Study Campaign Finance Law

FOR the purpose of creating a Commission to Study Campaign Finance Law; specifying the composition, powers, and duties of the Commission; providing for the staffing of the Commission; requiring the Commission to report its findings and recommendations, including suggested legislative changes, to the Governor and the General Assembly by ~~a certain date~~ *certain dates*; providing for the termination of the Commission; and generally relating to the Commission to Study Campaign Finance Law.

WHEREAS, As the cost of election campaigns escalates, candidates and other persons involved in the political process often must devote an increasing amount of time and effort engaged in campaign fund–raising; and

WHEREAS, There is concern in Maryland and across the country that the cost of election campaigns may discourage potential candidates and present a serious obstacle to efforts to attract a wide and diverse field of candidates for elective office, including women and minorities; and

WHEREAS, Many citizens express concern about the perceived impact and link between campaign contributions and the executive and legislative decision–making process; and

WHEREAS, The people of Maryland ought to be assured that the State's campaign finance laws are structured in a way that enhances public confidence and trust in the executive and legislative decision–making process and that those decision–making processes are not subject to improper and undue influence because of campaign contributions; and

WHEREAS, The time now seems ripe for the General Assembly to take a fresh, comprehensive look at the issue of campaign finance regulation and assess whether additional modifications to the campaign finance laws are in order; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Commission to Study Campaign Finance Law.

(b) The Commission shall consist of the following 17 members:

~~(1) Four individuals appointed by the President of the Senate, at least one of whom shall represent the minority party in the Senate, including:~~

~~(i) At least two members of the Senate of Maryland; and~~

~~(ii) If necessary to fill the four appointments allowed to the President under this item, one or two additional individuals;~~

~~(2) Four individuals appointed by the Speaker of the House, at least one of whom shall represent the minority party in the House, including:~~

~~(i) At least two members of the House of Delegates; and~~

~~(ii) If necessary to fill the four appointments allowed to the Speaker under this item, one or two additional individuals; and~~

(1) Six individuals appointed by the President of the Senate of Maryland, including:

(i) Three members of the Senate of Maryland, at least one of whom shall be a member of the minority party of the Senate; and

(ii) Three additional individuals, at least one of whom shall be a member of the principal minority party in the State;

(2) Six individuals appointed by the Speaker of the House, including:

(i) Three members of the House of Delegates, at least one of whom shall be a member of the minority party in the House; and

(ii) Three additional individuals, at least one of whom shall be a member of the principal minority party in the State;

(3) ~~Nine~~ *Five* individuals appointed by the Governor, at least ~~three~~ *one* of whom shall be ~~members~~ *a member* of a political party other than that of the Governor, including:

~~(i) A member of the State Board of Elections;~~

~~(ii) A member of the State Ethics Commission;~~

~~(iii) A regulated lobbyist; and~~

(i) The State Administrator of Elections, or the State Administrator's designee;

(ii) The Executive Director of the State Ethics Commission, or the Executive Director's designee; and

~~(iv)~~ *(iii)* ~~Six~~ *Three* additional individuals.

~~(c) The chair of the Commission shall be designated by the Governor.~~

(c) The President of the Senate and the Speaker of the House jointly shall designate the chair of the Commission.

(d) The State Board of Elections and the Department of Legislative Services shall provide staff for the Commission.

(e) The Commission shall:

(1) Examine the State election code as it relates to campaign financing;

(2) Collect information about campaign financing practices and standards for other jurisdictions*, including the federal government*;

(3) Consider issues related to campaign contributions, including:

(i) The types of individuals, corporations, political action committees (PACs), unions, and other persons who make campaign contributions for elections in Maryland;

(ii) The role played by PACs in election campaigns in Maryland;

(iii) The adequacy of the current limits on contributions or transfers that may be made by individuals, PACs, or other persons during an election cycle;

(iv) The effectiveness of current disclosure requirements in Maryland and in other states in providing detailed and accessible information to the public regarding ~~beneficiaries~~ *contributions to* and expenditures by candidates, candidate slates, campaign committees, and political action committees;

(v) The role and impact of technology changes over the years on how campaigns are conducted and how money is raised and spent on elections;

(vi) The role and prevalence of "issue ads" and other independent expenditures under the current Maryland campaign finance laws, particularly in light of the recent United States Supreme Court decision in Citizens United v. Federal Election Commission; and

(vii) An assessment of the system of electronic filing for campaign contributions administered by the State Board of Elections to facilitate full and timely disclosure of campaign contributions;

(4) Examine issues relating to the implementation of a *voluntary* system of ~~public financing of statewide and legislative election campaigns in Maryland;~~ *public financing of campaigns for local, statewide, legislative, and judicial offices, including the costs and practical funding sources available outside of the State's general fund;*

(5) Examine issues relating to the purpose and function of slates, including the process by which a candidate is added to and removed from a slate, the practice of creating statewide and regional slates among legislative candidates, and the role encompassed in the party committee model utilized in other jurisdictions for activities currently conducted in Maryland through slates;

(6) Examine issues relating to the enforcement of election laws, including the roles and responsibilities of the State Board of Elections, the Office of the State Prosecutor, and the Office of the Attorney General;

(7) Examine issues relating to opinions from the Office of the Attorney General, including the dissemination of letters of advice;

~~(5)~~ *(8)* Receive testimony, as the Commission considers appropriate; and

~~(6) Report its findings and recommendations, including any proposed statutory changes to the Maryland campaign finance laws for consideration by the General Assembly in the 2013 2012 Session, to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly not later than December 31, 2012 2011.~~

(9) (i) Provide an interim report of its findings and recommendations, including any proposed statutory changes to the Maryland campaign finance laws for consideration by the General Assembly in the 2012 Session, to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly by December 31, 2011; and

(ii) Provide a final report of its findings and recommendations, including any proposed statutory changes to the Maryland campaign finance laws for consideration by the General Assembly in the 2013 Session, to the Governor and, in

accordance with § 2–1246 of the State Government Article, to the General Assembly by December 31, 2012.

(f) The Commission shall terminate its existence after June 30, ~~2013~~ ~~2012~~ *2013*; and be it further

RESOLVED, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Honorable Martin O'Malley, Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the Honorable Michael E. Busch, Speaker of the House of Delegates.

Signed by the President and the Speaker, May 10, 2011.

Vetoed Bills

and

Messages

from the

Governor of Maryland

Eighty-two bills were vetoed by the Governor following the 2011 Session of the General Assembly. Forty-two of these bills originated in the Senate and forty of them originated in the House of Delegates. Pursuant to the provisions of Section 17 of Article II of the Maryland Constitution, these bills will be returned to the General Assembly immediately after the Legislature has organized at the next Regular or Special Session to be reconsidered in order to determine whether the veto is sustained or overridden.

2011 Session

List of Senate Bills Vetoed

(Bill numbers in **bold** indicate policy vetoes. Bill numbers in *italics* indicate technical vetoes. All other vetoes are duplicative.)

Bill No.	Subject	
SB 84	Electrology Practice Committee – Sunset Extension and Program Evaluation	3633
SB 89	State Board of Examiners of Psychologists – Sunset Extension and Program Evaluation	3636
SB 91	State Board of Architects – Sunset Extension and Program Evaluation	3639
SB 94	State Board for Professional Engineers – Sunset Extension and Program Evaluation	3641
SB 98	Baltimore City Board of School Commissioners – Annual Report Requirement – Repeal	3644
SB 103	Office of the Commissioner of Financial Regulation, the Banking Board, and the State Collection Agency Licensing Board – Sunset Extension and Program Evaluation	3646
SB 108	Business Regulation – State Amusement Ride Safety Advisory Board – Membership	3656
SB 122	Creation of a State Debt – Qualified Zone Academy Bond	3658
SB 144	Mental Hygiene Administration Facilities – Repeal of Provisions that Relate to Closed Facilities	3661
SB 170	Baltimore City – Education – Public School Facilities and Construction Bond Authority	3667
SB 202	Community Services Reimbursement Rate Commission – Termination Date – Extension	3669
SB 207	Calvert County – Public Facilities Bonds	3671
SB 214	Public Ethics Laws – Baltimore City – Health Department, Police Department, and Civilian Review Board	3676
SB 236	Maryland Home Improvement Commission – Sunset Extension and Program Evaluation	3679
SB 270	Alcoholic Beverages – Allegany County Board of License Commissioners – Vacancies	3690
SB 272	Garrett County – Tax Sales – Auctioneer's Fees	3692
SB 279	Dorchester County – Tax Sales – Advertisement and Auctioneer Fees	3696
SB 296	Washington County – Alcoholic Beverages – Micro–Breweries	3699
SB 297	Washington County – Alcoholic Beverages – Criminal History Records	3705
SB 330	Frederick County – Nonprofit School Lease – Property Tax Credit	3709

Bill No.	Subject	
SB 331	Frederick County – Roadside Solicitation of Money or Donations – Permit Program	3711
SB 333	Children in Need of Assistance – Hearings – Written Findings	3713
SB 357	State Retirement and Pension System – Administration – Simplification	3717
SB 366	Allegany County – Alcoholic Beverages – Eligibility for Class B–BT (Buffet Theater) License	3723
SB 393	Calvert County – Regulation of Roads	3725
SB 403	State Retirement and Pension System – Reemployment Earnings Offset – Retiree Health Care Premiums	3728
SB 463	Carroll County – Public Facilities Bonds	3739
SB 467	Carroll County – Alcoholic Beverages – Liquor Tasting	3744
SB 469	Carroll County – Fortune Telling Ban – Repeal	3747
SB 472	Carroll County – Commissioners – Term Limits and Vacancies	3748
SB 535	Carroll County – Abatement of Nuisances	3750
SB 541	Dorchester County Liquor Act of 2011	3754
SB 542	Housing Authorities – Consolidation or Merger – Talbot County and St. Michaels	3757
SB 580	Allegany County – Alcoholic Beverages – 1–Day Special License	3762
SB 736	Cecil County – Alcoholic Beverages – Licensed Establishments – Sunday Sales Hours	3766
SB 799	State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments	3769
SB 826	Somerset County – Water and Sewer Service – Late Fees	3781
SB 849	State Government – Land Acquisitions and Transfers of Property	3785
SB 876	Baltimore County – Miscellaneous Business Licenses – Fees	3796
SB 882	Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed	3806
SB 905	Worcester County – Berlin – Alcoholic Beverages – Micro–Brewery License	3815
SB 947	State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members	3822

List of House Bills Vetoed

(Bill numbers in **bold** indicate policy vetoes. Bill numbers in *italics* indicate technical vetoes. All other vetoes are duplicative.)

Bill No.	Subject	
HB 22	Courts – Attorneys – Subpoena Procedures and Forms for Circuit Courts	3832
HB 40	Joint Committee on Workers' Compensation Benefit and Insurance Oversight – Membership	3834
HB 64	State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation	3837
HB 66	State Board of Podiatric Medical Examiners – Sunset Extension and Program Evaluation	3842
HB 68	State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Sunset Extension and Program Evaluation	3844
HB 89	Mental Hygiene – Admission Provisions – Definition of "Psychologist"	3847
HB 103	Vehicle Laws – Exceptional Hauling Permits – Farm Products	3849
HB 124	Maryland Insurance Administration – Program Evaluation	3861
HB 148	Allegany County and Frederick County – Boards of Elections – Membership	3862
HB 201	Garrett County – Vacancy in Office of County Commissioner – Appointment Process	3865
HB 237	Baltimore City – Zoning Requirements – Administrative Adjustments	3867
HB 253	Motor Fuel Tax – Personal Liability – Limited Liability Companies and Limited Liability Partnerships	3871
HB 262	Frederick County – Nonprofit School Lease – Property Tax Credit	3876
HB 275	Public Utilities – Net Energy Metering – Hydroelectric	3878
HB 335	State Retirement and Pension System – Military Service Credit – Eligibility	3881
HB 338	State Retirement and Pension System – Unclaimed Money – Former Members, Retirees, and Beneficiaries	3882
HB 361	State Board of Master Electricians – Sunset Extension and Revision	3884
HB 393	Somerset County – Smith Island Solid Waste District – Remove Limitation on Fee	3887
HB 406	Washington County – Water and Sewer Debt Reduction Fund – Conococheague Industrial Pretreatment Facility	3889
HB 413	Washington County – Alcoholic Beverages – Wine Festival License	3891

Bill No.	Subject	
HB 421	Somerset County – Deputy State's Attorney – Private Practice ...	3894
HB 461	Income Tax Credit – Teachers at State and Local Correctional Facilities for Adults and Juveniles	3896
HB 468	Health Insurance – Dental Provider Contracts – Prohibited Provision	3898
HB 476	Carroll County – Winery Special Event Permits – Farmers' Markets	3900
HB 479	Frederick County – Winery Special Event Permits – Farmers' Markets	3902
HB 614	Prince George's County – Maryland–National Capital Park and Planning Commission – Site Plan Approval Authority and Public Ethics Requirements MC/PG 114–11	3905
HB 625	Carroll County – Deer Hunting on Private Property – Sundays...	3910
HB 689	Harford County – Board of Elections – Membership	3913
HB 703	Harford County – Alcoholic Beverages – Continuing Care Facility for Aged – Beer, Wine and Liquor License	3917
HB 879	Criminal Law – Counterfeiting – Venue	3919
HB 947	Caroline County – Alcoholic Beverages Act of 2011	3922
HB 954	Washington County – Board of Elections – Membership and Compensation	3928
HB 1053	Natural Resources – Aquaculture.....	3932
HB 1088	Audit Responsibilities – State Department of Education, Maryland Higher Education Commission, and State Retirement Agency	3950
HB 1089	Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications PG 411–11	3960
HB 1229	Prescription Drug Monitoring Program	3966
HB 1243	Alcoholic Beverages – Baltimore County – License Fees	3984
HB 1311	Motor Vehicle Insurers – Standards for Cancellation or Refusal of Insurance – Driving While Impaired by Alcohol.....	3991
HB 1312	State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members.....	3996
HB 1343	Economic Development – Tri–County Council for Western Maryland – Membership and Leadership	4003

Vetoed Senate Bills and Messages

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 84 – *Electrology Practice Committee – Sunset Extension and Program Evaluation.*

This bill continues the Electrology Practice Committee in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending the termination provisions relating to the statutory and regulatory authority of the Committee until July 1, 2023. This bill requires that an evaluation of the Committee and the statutes and regulations that relate to the Committee be performed on or before July 1, 2022.

House Bill 65, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 84.

Sincerely,

Governor

Senate Bill 84

AN ACT concerning

Electrology Practice Committee – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Electrology Practice Committee in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Committee; requiring that an evaluation of the Committee and the statutes and regulations that relate to the Committee be performed on or before a certain date; requiring the State Board of Nursing to submit certain reports to certain committees of the General Assembly on or before certain dates; and generally relating to the Electrology Practice Committee.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6B–29
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(19)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

8–6B–29.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, and subject to the termination of this title under § 8–802 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after July 1, **[**2013**] 2023**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(19) Electrology Practice Committee (§ 8–6B–05 of the Health Occupations Article: July 1, **[**2012**] 2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2011, the State Board of Nursing shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, regarding how the Board has addressed:

(1) examination issues relating to obtaining initial licensure as an electrologist in the State, including the current lack of a viable examination and the authority of the Board to administer a State law section of an examination;

(2) implementation of biennial licensure renewal for electrologists;

(3) improvement of the training of and communication with members of the Electrology Practice Committee;

(4) updating the Board's Web site to include a description of the complaint process with respect to electrologists and a complaint form;

(5) reconciling the difference between fee revenues generated from electrologist licensees and the reported actual cost of the Board to regulate electrologists; and

(6) fee revenue surplus, if any, and any plans to alter electrologist licensure fees as a result.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, the State Board of Nursing shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, regarding the status of the Electrology Practice Committee and the regulation of electrology in the State. The report shall include information for the years fiscal 2011 through fiscal 2015, inclusive, that addresses:

(1) the number of electrologists licensed by the Board;

(2) the number of complaints related to the practice of electrology received by the Board, if any, and the disposition of such complaints; and

(3) a summary of any major legislative or regulatory changes impacting electrology, including changes to fees charged by the Board.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 89 – *State Board of Examiners of Psychologists – Sunset Extension and Program Evaluation.*

This bill continues the State Board of Examiners of Psychologists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2023, the termination provisions relating to the statutory and regulatory authority of the Board and requires that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before July 1, 2022.

House Bill 75, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 89.

Sincerely,

Governor

Senate Bill 89

AN ACT concerning

State Board of Examiners of Psychologists – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners of Psychologists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 18–502
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(55)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

18–502.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this title and all rules and regulations adopted under this title shall terminate and be of no effect after July 1, **[**2013**] 2023**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(55) Psychologists, State Board of Examiners of (§ 18–201 of the Health Occupations Article: July 1, **[**2012**] 2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Board of Examiners of Psychologists shall submit a report to the

Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee in accordance with § 2–1246 of the State Government Article. The report shall include:

(1) an update on the Board's plans to require psychology associates to renew their exemption status every 2 years and a determination by the Board as to whether psychology associates should be required to take continuing education credits;

(2) an analysis of the role of psychology associates in the State and whether it would be appropriate to certify or license psychology associates, as well as whether additional disciplinary authority is needed; and

(3) a long–term financial plan that:

(i) assesses options for bringing expenditures in line with revenues, including reducing expenditures;

(ii) identifies the need for any future fee increases, including determining what appropriate increases would be relative to the fees charged by other boards;

(iii) discusses how the Board can maintain an appropriate fund balance; and

(iv) institutes a systematic, ongoing process for long–term financial planning.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 91 – *State Board of Architects – Sunset Extension and Program Evaluation*.

This bill continues the State Board of Architects in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2023, the termination provisions relating to the statutory and regulatory authority of the Board. This bill requires that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before July 1, 2022 and requires the chairs of specified design boards to submit a specified report on or before October 1, 2011.

House Bill 67, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 91.

Sincerely,

Governor

Senate Bill 91

AN ACT concerning

State Board of Architects – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Architects in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the chairs of certain design boards to submit a certain report on or before a certain date; and generally relating to the State Board of Architects.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 3–702
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(4)
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

3–702.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, **[**2013**] 2023**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(4) Architects, State Board of (§ 3–201 of the Business Occupations and Professions Article: July 1, **[**2012**] 2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2011, the Chair of the State Board of Architects, the Chair of the State Board of Certified Interior Designers, the Chair of the State Board of Examiners of Landscape Architects, the Chair of the State Board for Professional Engineers, and the Chair of the State Board for Professional Land Surveyors shall jointly submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on the sufficiency of the balance in the State Occupational and Professional Licensing Design Boards' Fund. The report shall specifically address the benefits of a fee increase in order to ensure that the collective revenue for the design boards covers total expenditures.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 94 – *State Board for Professional Engineers – Sunset Extension and Program Evaluation*.

This bill continues the State Board for Professional Engineers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2023, the termination provisions relating to the statutory and regulatory authority of the Board. This bill requires that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before July 1, 2022 and requires the Board to submit a specified report on or before October 1, 2012.

House Bill 69, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 94.

Sincerely,

Governor

Senate Bill 94

AN ACT concerning

State Board for Professional Engineers – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board for Professional Engineers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board for Professional Engineers.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 14–602
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(21)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

14–602.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, **[**2013**] 2023**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(21) Engineers, State Board for Professional (§ 14–201 of the Business Occupations and Professions Article: July 1, **[**2012**] 2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Board for Professional Engineers shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article. The report shall provide an update on the Board's actions concerning the following issues:

(1) reallocating the Board's special fund resources and staff in light of privatization of examination administration responsibilities, the new continuing professional competency requirements, and the growing licensing workload;

(2) implementing the examination administration process through a private contractor;

(3) establishing and implementing continuing professional competency requirements;

(4) establishing firm permits or certificates of authorization with uniform requirements for the State Board of Professional Engineers, State Board of Architects, State Board of Certified Interior Designers, State Board of Examiners of Landscape Architects, and State Board for Professional Land Surveyors;

(5) implementing the new structural engineering exam; and

(6) instituting computer–based testing and establishing more rigorous educational requirements for licensure.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 98 – *Baltimore City Board of School Commissioners – Annual Report Requirement – Repeal*.

This bill repeals the requirement that the Chief Executive Officer and the Baltimore City Board of School Commissioners of the Baltimore City Public School System issue an annual report. This bill also repeals specified review, comment, and consideration requirements related to the annual report.

House Bill 115, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 98.

Sincerely,

Governor

Senate Bill 98

AN ACT concerning

Baltimore City Board of School Commissioners – Annual Report Requirement – Repeal

FOR the purpose of repealing the requirement that the Chief Executive Officer and the Baltimore City Board of School Commissioners of the Baltimore City Public School System issue a certain annual report; repealing certain review, comment, and consideration requirements related to certain annual reports; and generally relating to the annual report requirements of the Chief Executive Officer and the Baltimore City Board of School Commissioners.

BY repealing
Article – Education
Section 4–313
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

[4–313.

(a) By December 31 of each year and on June 30, 2002, the Chief Executive Officer and the board shall issue an annual report that includes:

(1) A financial statement;

(2) A comprehensive accounting of progress in the implementation of the transition plan or master plan including:

(i) Assessment of student performance by the categories required by the Maryland School Performance Program standards; and

(ii) Specific assessment of the extent of implementation of each item included in § 4–309 of this subtitle, and any changes necessary in previously established timelines;

(3) Sources of income and payments of debt service on any bonds issued by the board in accordance with § 4–306.2 of this subtitle;

(4) Anticipated sources and amounts of payments of debt service on any bonds issued by the board in accordance with § 4–306.2 of this subtitle; and

(5) Any other information as required by State law.

(b) (1) The State Board of Education and State Superintendent of Schools shall review each annual report and comment on the progress made towards achieving both managerial and educational goals.

(2) The General Assembly shall consider the reports and the comments or recommendations of the State Board and Superintendent before approving the State budget each year.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 103 – *Office of the Commissioner of Financial Regulation, the Banking Board, and the State Collection Agency Licensing Board – Sunset Extension and Program Evaluation*.

This bill repeals the Banking Board in the Department of Labor, Licensing, and Regulation which continues the Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2022 the termination provisions relating to the statutory and regulatory authority of the Office and the Board.

House Bill 358, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 103.

Sincerely,

Governor

Senate Bill 103

AN ACT concerning

Office of the Commissioner of Financial Regulation, the Banking Board, and the State Collection Agency Licensing Board – Sunset Extension and Program Evaluation

FOR the purpose of repealing the Banking Board in the Department of Labor, Licensing, and Regulation; continuing the Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board; requiring that an evaluation of the Office of the Commissioner of Financial Regulation and the State Collection Licensing Board and the statutes and regulations that relate to them be performed on or before a certain date; repealing certain provisions requiring the Commissioner of Financial Regulation to seek the advice of the Banking Board on certain matters; providing that deposits of certain trust money in financial institutions located outside the State are subject to the approval of the Commissioner of Financial Regulation instead of the Banking Board; requiring the Commissioner to implement a risk–based mortgage lender licensee examination schedule on or before a certain date and report to certain committees of the General Assembly on the implementation of the examination schedule on or before a certain date; requiring ~~the Maryland Judiciary, in consultation with~~ the State Collection Agency Licensing Board and the Attorney General's Office~~,~~ to ~~study a certain issue~~ monitor whether the Maryland Judiciary has made a certain determination and report ~~its~~ certain findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally

relating to the Office of the Commissioner of Financial Regulation, the State Collection Agency Licensing Board, and the Banking Board.

BY repealing
Article – Business Regulation
Section 2–108(a)(4)
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY renumbering
Article – Business Regulation
Section 2–108(a)(5) through (34), respectively
to be Section 2–108(a)(4) through (33), respectively
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY repealing
Article – Financial Institutions
Section 2–201 through 2–204 and the subtitle "Subtitle 2. Banking Board"; and 2–402
Annotated Code of Maryland
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 7–502
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 2–401, 3–203(d)(1), 3–607, 3–705, 4–203(d)(1), 4–701(b), 4–803(d)(1), 5–209(a), 5–405(b), and 5–801
Annotated Code of Maryland
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 3–203(a), 4–203(a), 4–701(a), 4–803(a), and 5–405(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 22–103
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(13) and (24)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing
Article – State Government
Section 8–403(b)(8)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY renumbering
Article – State Government
Section 8–403(b)(9) through (68), respectively
to be Section 8–403(b)(8) through (67), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2–108(a)(4) of Article – Business Regulation of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 2–108(a)(5) through (34), respectively, of Article – Business Regulation of the Annotated Code of Maryland be renumbered to be Section(s) 2–108(a)(4) through (33), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 2–201 through 2–204 and the subtitle "Subtitle 2. Banking Board"; and 2–402 of Article – Financial Institutions of the Annotated Code of Maryland be repealed.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Business Regulation

7–502.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate on July 1, **[**2012**] 2022**.

Article – Financial Institutions

2–401.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, the provisions of this article that create the office of the Commissioner of Financial Regulation or relate to the powers and duties of the Commissioner and any regulations adopted under these provisions shall terminate and be of no effect after July 1, **[**2012**] 2022**.

3–203.

(a) The incorporators shall file with the Commissioner for examination the two copies of the articles of incorporation.

(d) (1) Within 6 months after the articles are filed for examination, the Commissioner**[**, after receiving the advice of the Banking Board,**]** shall sign, date, and endorse each copy of the articles as "approved" or "refused".

3–607.

(a) (1) In this section the following words have the meanings indicated.

(2) "Demand deposit" means a deposit that is payable within 30 days.

(3) (i) "Time deposit" means a deposit that is payable after 30 days.

(ii) "Time deposit" includes a savings account or certificate of deposit that requires at least a 30–day notice before payment.

(b) This section does not apply to any deposit of public funds for which the commercial bank pledges collateral.

(c) (1) A commercial bank shall have at all times a reserve equal to at least 15 percent of its demand deposits.

(2) The board of directors of a commercial bank by resolution shall direct the commercial bank to keep the demand deposit reserve required by this section in:

(i) Cash on hand;

(ii) Demand deposits in a bank of good standing in any state; or

(iii) As to 5 percent of its demand deposits, on approval of the Commissioner:

1. Registered or coupon bonds; or

2. General obligations of or obligations guaranteed by the United States government, an agency of the United States government, this State, or any political subdivision.

(d) (1) A commercial bank shall have at all times a reserve equal to at least 3 percent of its time deposits.

(2) The board of directors of a commercial bank by resolution shall direct the commercial bank to keep the time deposit reserves required by this section in:

(i) Cash on hand;

(ii) Deposits in a bank of good standing in any state; or

(iii) Direct obligations of the United States government or of this State.

(e) (1) If the Commissioner**[**, with the advice of the Banking Board,**]** determines that a change in the demand deposit reserve or in the time deposit reserve requirements is advisable to maintain sound banking practices or to prevent injurious credit expansion or contraction, the Commissioner may change the requirements as provided in this subsection.

(2) Subject to paragraph (3) of this subsection, the Commissioner may adopt rules or regulations to change the requirements as to reserves for commercial banks.

(3) The rules and regulations may:

(i) Increase the demand deposit reserve to an amount equal to not more than 30 percent of those deposits;

(ii) Increase the time deposit reserve to an amount equal to not more than 6 percent of those deposits;

(iii) Decrease the demand deposit reserve to an amount equal to not less than 15 percent of those deposits;

(iv) Decrease the time deposit reserve to an amount equal to not less than 3 percent of those deposits; and

(v) Notwithstanding items (i) through (iv) of this paragraph, increase or decrease the demand deposit reserve or time deposit reserve to conform to the reserve requirements that apply to a member bank of the Federal Reserve System.

3–705.

Within 6 months after the papers specified in § 3–703(c) of this subtitle have been filed with the Commissioner, the Commissioner**[**, after receiving the advice of the Banking Board,**]** shall approve or disapprove the agreement.

4–203.

(a) The incorporators shall:

(1) File with the Commissioner for examination the two copies of the articles of incorporation; and

(2) Pay to the Commissioner an examination fee of $1,500.

(d) (1) Within 6 months after the articles are filed for examination, the Commissioner**[**, with the approval of the Banking Board,**]** shall sign, date, and endorse each copy as "approved" or "refused".

4–701.

(a) In this section, "transfer assets", "transfer its assets", or "transfer of assets" means to sell, lease, exchange, or otherwise transfer all or substantially all of the property and assets of a savings bank.

(b) (1) A savings bank may consolidate with, merge into, or transfer its assets to any banking institution in this State, any other bank in this State, or any State or federal savings and loan association in this State if the Commissioner**[**, after receiving the advice of the Banking Board,**]** gives written consent to the transaction.

(2) A savings bank may have any banking institution in this State, any other bank in this State, or any State or federal savings and loan association in this State merge into the savings bank if the Commissioner**[**, after receiving the advice of the Banking Board,**]** gives written consent to the transaction.

4–803.

(a) The savings bank shall:

(1) File with the Commissioner for examination the application for approval of reorganization; and

(2) At the time of filing of an application for approval of reorganization, pay to the Commissioner a fee of $1,500.

(d) As to the proposed articles of incorporation of the subsidiary savings bank:

(1) Within 3 months after the application is filed for examination, the Commissioner**[**, after receiving the advice of the Banking Board,**]** shall sign, date, and endorse each copy of the articles of incorporation as "approved" or "refused".

5–209.

(a) Except as otherwise provided in this article, the Commissioner**[**,**]** **AND** the employees of and the attorney for the Commissioner's office**[**, and the members of the Banking Board**]** may not disclose:

(1) The name of any debtor of a banking institution;

(2) Any information about the private accounts with or transactions of a banking institution;

(3) Any information obtained in the course of examining a banking institution; or

(4) Any confidential information obtained from a federal banking authority.

5–405.

(a) Except as provided in this section, or otherwise expressly provided by State law, a banking institution may not have a bank service corporation.

(b) If the Commissioner**[**, after receiving the advice of the Banking Board,**]** approves, a banking institution may have a bank service corporation.

5–801.

(a) If the Commissioner believes that a director or officer of a banking institution has engaged in an unsafe or unsound banking practice, the Commissioner shall send a warning to the director or officer.

(b) (1) If the Commissioner finds that the director or officer has continued to engage in the unsafe or unsound practice, the Commissioner**[**, with the advice of the Banking Board,**]** may report the facts to the Secretary of Labor, Licensing, and Regulation and the Attorney General.

(2) A copy of the report shall be sent by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to each director of the banking institution.

(c) (1) After giving the officer or director an opportunity to be heard, if the Commissioner finds that the unsafe or unsound practice continued after the warning, the Commissioner with the approval of the Secretary of Labor, Licensing, and Regulation may remove the officer or director.

(2) A copy of the removal order shall be served on the individual removed and the banking institution.

Article – Insurance

22–103.

(a) (1) In this section the following words have the meanings indicated.

(2) "Beneficial owner" means a person, other than the buyer in a real estate transaction, for whose benefit a title insurer or its agent is entrusted to hold trust money.

(3) "Trust money" means a deposit, payment, or other money that a person entrusts to a title insurer or its agent to hold for the benefit of a buyer in a real estate transaction or for a beneficial owner, in connection with an escrow, settlement, closing, or title indemnification.

(b) A title insurer or its agent shall pool and commingle trust money received from clients or beneficial owners in connection with escrows, settlements, closings, or title indemnifications if, in the judgment of the title insurer or its agent, a separate deposit of the trust money would generate interest in an amount not greater than $50 or the cost of administering a separate account.

(c) At least quarterly, the financial institution in which a commingled account is maintained under this section shall pay the interest earned on the account, less any service charges of the financial institution, to the Maryland Affordable Housing Trust to enhance the availability of affordable housing throughout the State as provided in § 10–102 of the Housing and Community Development Article.

(d) Trust money required to be commingled under subsection (b) of this section in connection with a real estate transaction shall be deposited and maintained until disbursed in accordance with the transaction:

(1) in a financial institution located in the State; or

(2) subject to approval of the **[**Banking Board in the Department of Labor, Licensing, and Regulation**]** **COMMISSIONER OF FINANCIAL REGULATION**, in a financial institution outside the State that complies with the requirements of this subtitle.

(e) A title insurer or its agent does not violate, and may not be charged by the Commissioner with a violation of, any ethical or legal duties by placing trust money in an account under subsection (b) of this section with the interest paid to the Maryland Affordable Housing Trust under subsection (c) of this section.

(f) Except for trust money that a title insurer or its agent places in a commingled account under subsections (b) and (c) of this section, and subject to regulations of the Commissioner, trust money in the possession of the title insurer or its agent may be deposited in any other deposit or investment vehicle:

(1) specified by the client or beneficial owner; or

(2) as agreed on by the client or beneficial owner and the title insurer or its agent.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(13) Collection Agency Licensing Board, State (§ 7–201 of the Business Regulation Article: July 1, **[**2011**]** **2021**);

(24) Financial Regulation, Office of the Commissioner of (§ 2–101 of the Financial Institutions Article: July 1, **[**2011**]** **2021**);

SECTION 5. AND BE IT FURTHER ENACTED, That Section(s) 8–403(b)(8) of Article – State Government of the Annotated Code of Maryland be repealed.

SECTION 6. AND BE IT FURTHER ENACTED, That Section(s) 8–403(b)(9) through (68), respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(8) through (67), respectively.

SECTION 7. AND BE IT FURTHER ENACTED, That the Commissioner of Financial Regulation shall:

(1) implement a risk–based mortgage lender licensee examination schedule to supplement the existing calendar–based examination schedule by January 1, 2012; and

(2) report to the Senate Finance Committee and the House Economic Matters Committee on or before October 1, 2012, in accordance with § 2–1246 of the State Government Article, on the implementation of the risk–based mortgage lender licensee examination schedule.

SECTION 8. AND BE IT FURTHER ENACTED, That ~~the Maryland Judiciary, in consultation with~~ the State Collection Agency Licensing Board and the Attorney General's Office~~,~~ shall:

(1) ~~examine~~ monitor whether the Maryland Judiciary has determined if the Maryland Rules should be amended to strengthen protections for defendants in consumer debt collection cases; and

(2) report to the Senate Finance Committee, the Senate Judicial Proceedings Committee, the House Economic Matters Committee, and the House Judiciary Committee on or before October 1, 2011, in accordance with § 2–1246 of the State Government Article, on ~~its~~ any findings and recommendations made by the Maryland Judiciary.

SECTION 9. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 108 – *Business Regulation – State Amusement Ride Safety Advisory Board – Membership.*

This bill alters the membership of the State Amusement Ride Safety Advisory Board to remove one consumer member and add one representative of amusement ride rental operators. This bill requires that the race and gender composition of the Board reflect the composition of the population of the State.

House Bill 108, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 108.

Sincerely,

Governor

Senate Bill 108

AN ACT concerning

Business Regulation – State Amusement Ride Safety Advisory Board – Membership

FOR the purpose of altering the membership of the State Amusement Ride Safety Advisory Board; requiring that the composition of the Board as to the race and gender of its members reflect the composition of the population of the State; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 3–301
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 3–304
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

3–301.

In this subtitle, "Board" means the State Amusement Ride Safety Advisory Board.

3–304.

(a) (1) The Board consists of 9 members appointed by the Governor with the advice and consent of the Senate.

(2) Of the 9 members of the Board:

(i) 1 shall be a mechanical engineer;

(ii) 1 shall represent owners of carnivals;

(iii) 1 shall represent the State Fair and the county fairs;

(IV) 1 SHALL REPRESENT AMUSEMENT RIDE RENTAL OPERATORS;

[(iv)**] (V)** 2 shall represent owners of amusement parks; and

[(v)**] (VI)** **[**4**] 3** shall be consumer members.

(3) In choosing the members of the Board, the Governor shall make every effort to ensure that each region of the State is represented.

(4) THE COMPOSITION OF THE BOARD AS TO THE RACE AND GENDER OF ITS MEMBERS SHALL REFLECT THE COMPOSITION OF THE POPULATION OF THE STATE.

(b) Each consumer member of the Board shall be a member of the general public.

(c) (1) The term of a member is 4 years and begins on July 1.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 1992.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(d) The Governor may remove a member for incompetence or misconduct.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 122 – *Creation of a State Debt – Qualified Zone Academy Bond.*

This bill authorizes the creation of a State Debt in the amount of $15,902,000. The proceeds will be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for specified development or improvement purposes and will provide for the disbursement of the loan proceeds and the further grant of funds to eligible school systems for specified purposes which will be subject to a requirement that the grantees document the provision of a required federal matching fund.

House Bill 86, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 122.

Sincerely,

Governor

Senate Bill 122

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bond

FOR the purpose of authorizing the creation of a State Debt in the amount of $15,902,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required federal matching fund; providing that, after a certain date, any bonds authorized under this Act shall be cancelled and be of no further effect; providing that the proceeds of the loan under this Act shall be

expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Qualified Zone Academy Bonds Loan of 2011 in a total principal amount of $15,902,000. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation qualified zone academy bonds, as defined in § 54E of the Internal Revenue Code of the United States, as amended, authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Annotated Code of Maryland, and §§ 54A and 54E of the Internal Revenue Code, as amended.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article. Notwithstanding §§ 8–123 and 8–124 of the State Finance and Procurement Article, the Board of Public Works may sell the bonds authorized herein at one or more private sales that best meet the terms and conditions of sale set by the Board. The bonds authorized under this Act shall be issued and sold no later than December 31, 2011.

(3) The cash proceeds from the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller, and held separately in a qualified zone academy bond account, and expended, as determined and approved by the Board of Public Works, for the following public purposes: as grants to the Interagency Committee on School Construction (the "IAC") and the Maryland State Department of Education (the "MSDE") (referred to hereafter in this Act as the "grantees") for the renovation, repair, and capital improvements of qualified zone academies, as defined in § 54E(d)(1) of the Internal Revenue Code, as amended, in accordance with the criteria established under the Aging Schools Program as follows:

(a) for competitively awarded grants by IAC to eligible school systems for qualified academies*, including public charter schools*; and

(b) for targeted grants awarded by MSDE to eligible school systems for qualified academies*, including public charter schools,* under the Breakthrough Center Program.

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest, if any, on the bonds as

and when due and until paid in full. The principal shall be discharged within 15 years after the date of issuance of the bonds.

(5) (a) The grantees shall document the provision of a matching fund as provided in this paragraph.

(b) No part of the matching fund may be provided, either directly or indirectly, from funds of the State or any other governmental body, whether appropriated or unappropriated. No part of the fund may consist of real property. The fund shall consist of private business contributions as required under § 54E(b) of the Internal Revenue Code, as amended, and may consist of in kind contributions or funds other than funds of the State or any other governmental body. In case of any dispute as to what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter and the Board's decision is final.

(c) The grantees shall present evidence to the satisfaction of the Board of Public Works of the provision and documentation of the matching fund, and the Board of Public Works shall authorize the sale of the bonds in proportion to the documented matching fund and the disbursement of the proceeds for the purposes set forth in Section 1(3) above.

(6) After December 31, 2011, any bonds authorized under this Act that have not been issued and sold by the Board of Public Works shall be cancelled and be of no further effect.

(7) The proceeds of the loan shall be expended for the purposes provided in this Act not later than 3 years after the issuance of the bonds authorized under this Act.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 144 – *Mental Hygiene Administration Facilities – Repeal of Provisions that Relate to Closed Facilities*.

This bill repeals provisions of law in the Health – General Article that relate to Mental Hygiene Administration facilities that have closed.

House Bill 377, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 144.

Sincerely,

Governor

Senate Bill 144

AN ACT concerning

Mental Hygiene Administration Facilities – Repeal of Provisions that Relate to Closed Facilities

FOR the purpose of repealing certain provisions of law that relate to certain Mental Hygiene Administration facilities that have been closed; making stylistic changes; and generally relating to Mental Hygiene Administration facilities that have been closed.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–406(a) and (c), 10–406.1, and 10–411
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–406(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

10–406.

(a) The following State facilities shall be maintained under the direction of the Administration:

(1) Clifton T. Perkins Hospital Center**[.];**

[(2) Crownsville Hospital Center.**]**

[(3)**] (2)** Eastern Shore Hospital Center**[.];**

[(4)**] (3)** Regional Institutes for Children and Adolescents – Baltimore**[,] AND** Rockville**[**, and Southern Maryland.**];**

[(5)**] (4)** Springfield Hospital Center**[.];**

[(6)**] (5)** Spring Grove Hospital Center**[.]; AND**

[(7) Walter P. Carter Center.**]**

[(8)**] (6)** Thomas B. Finan Hospital Center.

(b) As a facility is built or transferred to the Administration, the facility may be made a State facility.

[(c) (1) The Department shall provide for a Regional Institute for Children and Adolescents in Prince George's County by July 1, 1983.

(2) The Regional Institute is a residential center for severely emotionally disturbed children and adolescents.

(3) The Department shall provide residential and day treatment programs for children and adolescents from Prince George's County.

(i) The Department shall offer to contract the education program to the local educational agency.

(ii) If the local educational agency declines to contract, the Department may operate an education program directly or contract with another qualified provider.

(4) Until a separate program is established for each county, children from Charles, Calvert, and St. Mary's counties may be served by the Regional Institute in Prince George's County.

(5) The Department shall establish guidelines in cooperation with the local board of education for the operation of the Regional Institute for Children and Adolescents in Prince George's County.**]**

[(6) (i)**] (C)** **(1)** By January 1, 1985, the Department shall adopt rules and regulations for admission to all Regional Institutes for Children and Adolescents in cooperation with representatives from the advisory committees of the Regional Institutes for Children and Adolescents, the mental health advisory committees in each region, the local education agencies, and the Mental Health Association of Maryland.

[(ii)**] (2)** In determining these rules and regulations, the Department shall provide that no bona fide candidate for admission may be rejected solely because of residence outside the regular catchment area served by the institution.

[(iii)**] (3)** In determining these rules and regulations, the Department shall provide that candidates for admission who reside in the regular catchment area served by the institution shall be granted priority in admissions to the institution.

10–406.1.

(a) The Regional Institutes for Children and Adolescents in Baltimore**[**,**]** **AND** Montgomery**[**, and Prince George's**]** counties shall be comparable:

(1) In programs by January 1, 1992; and

(2) In facilities by July 1, 1994.

(b) The facilities and programs of an institute may not be reduced to achieve comparability.

(c) In no event shall the level of State funding provided or number of positions authorized to any Regional Institute for Children and Adolescents be reduced in order to attain comparability.

10–411.

(a) (1) (i) Except for the Eastern Shore Hospital Center, **[**the Crownsville Hospital Center, the Regional Institute for Children and Adolescents in Prince George's County,**]** the Spring Grove Hospital Center, and the Clifton T. Perkins Hospital Center, each Board consists of 7 members appointed by the Governor.

[(ii) The Board for the Crownsville Hospital Center consists of 11 members appointed by the Governor.**]**

[(iii)**] (II)** The Board for the Eastern Shore Hospital Center consists of 11 members appointed by the Governor.

[(iv) The Board for the Regional Institute for Children and Adolescents in Prince George's County consists of 11 members appointed by the Governor.**]**

[(v)**] (III)** The Board for the Spring Grove Hospital Center consists of 9 members appointed by the Governor.

[(vi)**] (IV)** The Board for the Clifton T. Perkins Hospital Center consists of 9 members appointed by the Governor.

(2) The Board for each State facility shall reflect adequately the composition of the community that the State facility serves.

(3) Of the members of the Board for a State facility:

(i) At least 2 shall be parents or other relatives of residents or former residents of a State facility; and

(ii) Each of the others shall be individuals who:

1. Are known for their interest in civic and public affairs; and

2. Have expressed an interest in the care of individuals who have a mental disorder or generally in mental health endeavors.

(4) The Governor shall appoint the members from a list of qualified individuals submitted to the Governor by the Secretary.

(b) Each member of a Board shall be a citizen of this State.

(c) (1) The term of a member is 4 years.

(2) (i) Except for the Board for **[**the Regional Institute for Children and Adolescents in Prince George's County and the Board for**]** the Clifton T. Perkins Hospital Center, the terms of members are staggered as required for members of each Board on July 1, 1982. **[**For the Board for the Regional Institute for Children and Adolescents in Prince George's County, the terms of the members are staggered as required for the members on the Board on July 1, 1983.**]** For the Board for the Clifton T. Perkins Hospital Center, the terms of the members are staggered as required for the members on the Board on October 1, 1994.

(ii) Except for the Boards of the Eastern Shore Hospital Center, **[**the Crownsville Hospital Center, the Regional Institute for Children and Adolescents

in Prince George's County,**]** the Spring Grove Hospital Center, and the Clifton T. Perkins Hospital Center, the terms of those members end as follows:

1. 1 in 1983;

2. 4 in 1984;

3. 1 in 1985; and

4. 1 in 1986.

[(iii) The terms of the members of the Board for the Crownsville Hospital Center end as follows:

1. 2 in 1987;

2. 5 in 1988;

3. 2 in 1989; and

4. 2 in 1990.**]**

[(iv)**] (III)** The terms of the members of the Board for the Eastern Shore Hospital Center end as follows:

1. 2 in 1983;

2. 5 in 1984;

3. 2 in 1985; and

4. 2 in 1986.

[(v) The terms of the members of the Board for the Regional Institute for Children and Adolescents in Prince George's County end as follows:

1. 2 in 1985;

2. 3 in 1986;

3. 3 in 1987; and

4. 3 in 1988.**]**

[(vi)**] (IV)** The terms of the members of the Board for the Spring Grove Hospital Center end as follows:

1. 1 in 1986;

2. 1 in 1987;

3. 4 in 1988; and

4. 3 in 1989.

[(vii)**] (V)** The terms of the members of the Board for the Clifton T. Perkins Hospital Center end as follows:

1. 1 in 1996;

2. 5 in 1997; and

3. 3 in 1998.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) (i) Except as provided in subparagraph (ii) of this paragraph, a member who serves 2 consecutive full 4–year terms may not be reappointed for 4 years after completion of those terms.

(ii) An initial member of a Board who serves 3 consecutive full 4–year terms may not be reappointed for 4 years after completion of those terms.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 170 – *Baltimore City – Education – Public School Facilities and Construction Bond Authority*.

This bill alters the maximum maturity date of school construction bonds that the Baltimore City Board of School Commissioners may issue and requires that the Board report by December 1, 2011 to committees of the General Assembly on a long–term plan for the alignment of public school facilities with projected enrollments and educational programs within the Baltimore City Public School System.

House Bill 230, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 170.

Sincerely,

Governor

Senate Bill 170

AN ACT concerning

Baltimore City – Education – *Public School Facilities* *and* Construction Bond Authority

FOR the purpose of ~~altering the maximum aggregate principal amount of school construction bonds that the Baltimore City Board of School Commissioners may issue;~~ altering the maximum maturity date of ~~bonds;~~ *school construction bonds that the Baltimore City Board of School Commissioners may issue; requiring the Board to submit a certain report on a certain plan for public school facilities on or before a certain date;* and generally relating to *public school facilities and* the issuance of bonds for school construction in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~4–306.2(b) and (g)(2)~~ *4–306.2(g)(2)*
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.2(a) ~~and (e)~~ through (e)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

4–306.2.

(a) The board may issue bonds for the purpose of financing or refinancing all or any part of the costs of any project.

(b) (1) Except as provided in paragraph (2) of this subsection, the aggregate principal amount of bonds outstanding, including the amount of any reserve fund requirement established for the bonds, may not exceed, as of the date that the bonds are issued, ~~[~~$100,000,000~~]~~ **~~$250,000,000~~**.

(2) The aggregate principal amount of bonds outstanding does not include Qualified School Construction Bonds as defined in § 54F of the Internal Revenue Code.

(c) Bonds shall be authorized by a resolution of the board and may be secured by a trust agreement by and between the board and a corporate trustee or trustees which may be any trust company or bank having the powers of a trust company within or outside of the State.

(d) Before the board may issue a bond under this section, the Mayor and City Council of Baltimore shall pass a resolution approving the board's issuance of the bond and shall forward that resolution to the board.

(e) The resolution of the board authorizing the bonds:

(1) Shall describe the projects which are to be financed or refinanced by the bond;

(2) Shall state the maximum principal amount of the bond;

(3) Shall describe the sources of payment of the bonds;

(4) Shall provide that the proceeds of the bonds shall be invested in accordance with any investment policy approved by the board; and

(5) May provide that the bonds are redeemable before maturity at a price or prices and under terms and conditions or in accordance with a method determined by the board.

(g) The bonds shall:

(2) Mature at a time or times not exceeding the useful life of the projects for which the bonds are issued, but in no event shall the maturity of the bonds exceed **[**15**] 30** years from their date or dates of issue, as may be determined by the board;

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2011, the Baltimore City Board of School Commissioners shall report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on a long–term plan for the alignment of public school facilities with projected enrollments and educational programs within the Baltimore City Public School System.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 202 – *Community Services Reimbursement Rate Commission – Termination Date – Extension.*

This bill extends the termination date for the Community Services Reimbursement Rate Commission to September 30, 2016.

House Bill 58, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 202.

Sincerely,

Governor

Senate Bill 202

AN ACT concerning

Community Services Reimbursement Rate Commission – Termination Date – Extension

FOR the purpose of extending the termination date for the Community Services Reimbursement Rate Commission; and generally relating to the Community Services Reimbursement Rate Commission.

BY repealing and reenacting, with amendments,
Chapter 593 of the Acts of the General Assembly of 1996, as amended by Chapter 566 of the Acts of the General Assembly of 1999, Chapter 370 of the Acts of the General Assembly of 2002, Chapter 401 of the Acts of the General Assembly of 2005, and Chapters 572 and 573 of the Acts of the General Assembly of 2008
Section 3

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Chapter 593 of the Acts of 1996, as amended by Chapter 566 of the Acts of 1999, Chapter 370 of the Acts of 2002, Chapter 401 of the Acts of 2005, and Chapters 572 and 573 of the Acts of 2008

SECTION 3. AND BE IT FURTHER ENACTED, That, this Act shall take effect October 1, 1996. It shall remain effective for a period of **[**15**] 20** years and, at the end of September 30, **[**2011**] 2016**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 207 – *Calvert County – Public Facilities Bonds.*

This bill authorizes and empowers the County Commissioners of Calvert County, from time to time, to borrow not more than $12,325,000 to finance the construction, improvement, or development of specified public facilities in Calvert County and to affect such borrowing by the issuance and sale of its general obligation bonds.

House Bill 1016, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 207.

Sincerely,

Governor

Senate Bill 207

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than ~~$20,855,000~~ $12,325,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as used herein, the term "County" means the body politic and corporate of the State of Maryland known as the County Commissioners of Calvert County, and the term "construction, improvement, or development of public facilities" means the acquisition, alteration, construction, reconstruction, enlargement, equipping, expansion, extension, improvement, rehabilitation, renovation, upgrading,

and repair of public buildings and facilities, and issuance costs together with the costs of acquiring land or interests in land as well as any related architectural, financial, legal, planning, or engineering services.

SECTION 2. AND BE IT FURTHER ENACTED, That the County is hereby authorized to finance any part or all of the costs of the public facilities described in Section 1 of this Act, and to borrow money and incur indebtedness for that purpose, at one time or from time to time, in an amount not exceeding, in the aggregate, ~~$20,855,000~~ $12,325,000 and to evidence such borrowing by the issuance and sale upon its full faith and credit of general obligation bonds in like par amount, which may be issued at one time or from time to time, in one or more groups or series, as the County may determine.

SECTION 3. AND BE IT FURTHER ENACTED, That the bonds shall be issued in accordance with a resolution of the County, which shall describe generally the construction, improvement, or development of public facilities for which the proceeds of the bond sale are intended and the amount needed for those purposes. The County shall have and is hereby granted full and complete authority and discretion in the resolution to fix and determine with respect to the bonds of any issue: the designation, date of issue, denomination or denominations, form or forms, and tenor of the bonds which, without limitation, may be issued in registered form within the meaning of Section 30 of Article 31 of the Annotated Code of Maryland, as amended; the rate or rates of interest payable thereon, or the method of determining the same, which may include a variable rate; the date or dates and amount or amounts of maturity, which need not be in equal par amounts or in consecutive annual installments, provided only that no bond of any issue shall mature later than 30 years from the date of its issue; the manner of selling the bonds, which may be at either public or private sale, for such price or prices as may be determined to be for the best interests of Calvert County; the manner of executing and sealing the bonds, which may be by facsimile; the terms and conditions, if any, under which bonds may be tendered for payment or purchase prior to their stated maturity; the terms or conditions, if any, under which bonds may or shall be redeemed prior to their stated maturity; the place or places of payment of the principal of and the interest on the bonds, which may be at any bank or trust company within or without the State of Maryland; covenants relating to compliance with applicable requirements of federal income tax law, including (without limitation) covenants regarding the payment of rebate or penalties in lieu of rebate; covenants relating to compliance with applicable requirements of federal or state securities laws; and generally all matters incident to the terms, conditions, issuance, sale, and delivery thereof.

The bonds may be made redeemable before maturity, at the option of the County, at such price or prices and under such terms and conditions as may be fixed by the County prior to the issuance of the bonds, either in the resolution or in a bond order pursuant to the bond resolution. The bonds may be issued in registered form and provision may be made for the registration of the principal only. In case any officer whose signature appears on any bond ceases to be such officer before the delivery thereof, such signature shall nevertheless be valid and sufficient for all purposes as if

he had remained in office until such delivery. The bonds and the issuance and sale thereof shall be exempt from the provisions of Sections 9, 10, and 11 of Article 31 of the Annotated Code of Maryland, as amended.

The County may enter into agreements with agents, banks, fiduciaries, insurers, or others for the purpose of enhancing the marketability of any security for the bonds and for the purpose of securing any tender option that may be granted to holders of the bonds, all as may be determined and presented in the aforesaid resolution, which may (but need not) state as security for the performance by the County of any monetary obligations under such agreements the same security given by the County to bondholders for the performance by the County of its monetary obligations under the bonds.

If the County determines in the resolution to offer any of the bonds by solicitation of competitive bids at public sale, the resolution shall fix the terms and conditions of the public sale and shall adopt a form of notice of sale, which shall outline the terms and conditions, and a form of advertisement, which shall be published in one or more daily or weekly newspapers having a general circulation in the County and which may also be published in one or more journals having a circulation primarily among banks and investment bankers. At least one publication of the advertisement shall be made not less than 10 days before the sale of the bonds.

Upon delivery of any bonds to the purchaser or purchasers, payment therefor shall be made to the Treasurer of Calvert County or such other official of Calvert County as may be designated to receive such payment in a resolution passed by the County before such delivery.

SECTION 4. AND BE IT FURTHER ENACTED, That the net proceeds of the sale of bonds shall be used and applied exclusively and solely for the acquisition, construction, improvement, or development of public facilities for which the bonds are sold. If the amounts borrowed shall prove inadequate to finance the projects described in the resolution, the County may issue additional bonds with the limitations hereof for the purpose of evidencing the borrowing of additional funds for such financing, provided the resolution authorizing the sale of additional bonds shall so recite, but if the net proceeds of the sale of any issue of bonds exceed the amount needed to finance the projects described in the resolution, the excess funds so borrowed and not expended shall be applied to the payment of the next principal maturity of the bonds or to the redemption of any part of the bonds which have been made redeemable or to the purchase and cancellation of bonds, unless the County shall adopt a resolution allocating the excess funds to the acquisition, construction, improvement, or development of other public facilities, as defined and within the limits set forth in this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That the bonds hereby authorized shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest on the bonds as and when they become payable. In

each and every fiscal year that any of the bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all the assessable property within the corporate limits of the County in rate and amount sufficient to provide for or assure the payment, when due, of the principal of and interest on all the bonds maturing in each such fiscal year and, in the event the proceeds from the taxes so levied in any such fiscal year shall prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any such deficiency. The County may apply to the payment of the principal of and interest on any bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, if such funds are granted for the purpose of assisting the County in financing the acquisition, construction, improvement, or development of the public facilities defined in this Act and, to the extent of any such funds received or receivable in any fiscal year, the taxes that are required to be levied may be reduced accordingly.

SECTION 6. AND BE IT FURTHER ENACTED, That the County is further authorized and empowered, at any time and from time to time, to issue its bonds in the manner hereinabove described for the purpose of refunding, by payment at maturity or upon purchase or redemption, any bonds issued hereunder. The validity of any such refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the obligations so refunded. The powers herein granted with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds. Such refunding bonds may be issued by the County in such an amount as shall be necessary for the purpose of providing it with funds to pay any of its outstanding bonds issued hereunder at maturity, for the purpose of providing it with funds to purchase in the open market any of its outstanding bonds issued hereunder, prior to the maturity thereof, or for the purpose of providing it with funds for the redemption prior to maturity of any outstanding bonds issued hereunder which are, by their terms, redeemable, for the purpose of providing it with funds to pay interest on any outstanding bonds issued hereunder prior to their payment at maturity of purchase or redemption in advance of maturity, or for the purpose of providing it with funds to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds issued hereunder. The proceeds of the sale of any such refunding bonds shall be segregated and set apart by the County as a separate trust fund to be used solely for the purpose of paying the purchase or redemption prices of the bonds to be refunded.

SECTION 7. AND BE IT FURTHER ENACTED, That the County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for such delivery, provided, however, that any such interim certificates or temporary bonds shall be issued in all respects subject to the restrictions and requirements set forth in this Act. The County may, by appropriate resolution, provide for the replacement of any bonds issued hereunder which shall have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.

SECTION 8. AND BE IT FURTHER ENACTED, That any and all obligations issued pursuant to the authority of this Act, their transfer, the interest payable thereon, and any income derived therefrom in the hands of the holders thereof from time to time (including any profit made in the sale thereof) shall be and are hereby declared to be at all times exempt from State, county, municipal, or other taxation of every kind and nature whatsoever within the State of Maryland. Nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes.

SECTION 9. AND BE IT FURTHER ENACTED, That the authority to borrow money and issue bonds conferred on the County by this Act shall be deemed to provide an additional and alternative authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all Acts of the General Assembly of Maryland heretofore passed authorizing the County to borrow money are hereby continued to the extent that the powers contained in such Acts have not been exercised, and nothing contained in this Act may be construed to impair, in any way, the validity of any bonds that may have been issued by the County under the authority of any said Acts, and the validity of the bonds is hereby ratified, confirmed, and approved. This Act, being necessary for the welfare of the inhabitants of Calvert County, shall be liberally construed to effect the purposes hereof. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 214 – *Public Ethics Laws – Baltimore City – Health Department, Police Department, and Civilian Review Board*.

This bill alters the provisions of the Maryland Public Ethics Law to provide that employees of the Baltimore City Health Department, the Police Commissioner of Baltimore City, the civilian employees and police officers of the Police Department of Baltimore City, and the members and employees of the Civilian Review Board are subject only to the Baltimore City Public Ethics Law.

House Bill 267, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 214.

Sincerely,

Governor

Senate Bill 214

AN ACT concerning

Public Ethics Laws – Baltimore City – Health Department, Police Department, and Civilian Review Board

FOR the purpose of altering the provisions of the Maryland Public Ethics Law to provide that employees of the Baltimore City Health Department, the Police Commissioner of Baltimore City, the civilian employees and police officers of the Police Department of Baltimore City, and members and employees of the Civilian Review Board are subject only to the Baltimore City Public Ethics Law; and generally relating to public ethics laws and the employees of Baltimore City.

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–102(a) and (m)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–807
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

15–102.

(a) In this title the following words have the meanings indicated unless:

(1) the context clearly requires a different meaning; or

(2) a different definition is adopted for a particular provision.

(m) (1) "Executive unit" means a department, agency, commission, board, council, or other body of State government that:

(i) is established by law; and

(ii) is not in the Legislative Branch or the Judicial Branch of State government.

(2) "Executive unit" includes:

(i) a county health department unless the officials and employees of the department are expressly designated as "local officials" in § 15–807 of this title;

(ii) the office of the sheriff in each county;

(iii) the office of the State's Attorney in each county;

(iv) the Liquor Control Board for Somerset County; and

(v) the Liquor Control Board for Worcester County.

15–807.

(a) In Baltimore City, **[**for the purpose of the financial disclosure provisions enacted by the governing body of Baltimore City,**]** "local official" includes **[**Baltimore City health and housing inspectors who inspect for lead hazards**]:**

(1) CITY EMPLOYEES AND OFFICIALS OF THE BALTIMORE CITY HEALTH DEPARTMENT;

(2) THE POLICE COMMISSIONER OF BALTIMORE CITY AND THE CIVILIAN EMPLOYEES AND POLICE OFFICERS OF THE POLICE DEPARTMENT OF BALTIMORE CITY; AND

(3) EACH MEMBER OF AND THE EMPLOYEES OF THE CIVILIAN REVIEW BOARD.

(b) For the purpose of the financial disclosure provisions enacted by the governing body of Baltimore County, "local official" includes:

(1) the executive director and each member of the revenue authority; and

(2) except for a member of the Baltimore County Board of Education, each member of a board of a State agency that is wholly or partly funded by Baltimore County, regardless of whether the member is compensated.

(c) In Montgomery County, "local official" includes:

(1) each member and employee of the Montgomery County Revenue Authority;

(2) each commissioner and employee of the Montgomery County Housing Opportunities Commission; and

(3) county employees of the Montgomery County Department of Health and Human Services.

(d) In Prince George's County, "local official" includes:

(1) each member of the Board of License Commissioners;

(2) the chief inspector and any other inspector of the Board of License Commissioners;

(3) the administrator of the Board of License Commissioners; and

(4) the attorney to the Board of License Commissioners.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 236 – *Maryland Home Improvement Commission – Sunset Extension and Program Evaluation*.

This bill continues the Maryland Home Improvement Commission in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2022, the termination provisions relating to the statutory and regulatory authority of the Commission. The bill also continues the Maryland Mold Remediation Services Act in accordance with the provisions of the sunset law by extending to July 1, 2013, the termination provisions relating to the statutory and regulatory authority of the Commission under the Act.

House Bill 362, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 236.

Sincerely,

Governor

Senate Bill 236

AN ACT concerning

Maryland Home Improvement Commission – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Maryland Home Improvement Commission in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Commission; continuing the Maryland Mold Remediation Services Act in accordance with the provisions of the sunset law by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Commission under the Maryland Mold Remediation Services Act; requiring that an evaluation of the Commission and the statutes and regulations that relate to the Commission and the Maryland Mold Remediation Services Act be performed on or before a certain date; requiring the Commission to submit certain reports about a certain fund to certain committees of the General Assembly under certain circumstances; <u>requiring the Commission to publish certain consumer education materials on its Web site; requiring the Commission to develop a certain searchable Web site that includes certain information;</u> altering certain fees; <u>requiring a home improvement contract to contain the telephone number of the contractor;</u> expanding the notice requirements for home improvement contracts; altering certain criminal penalties for certain individuals; authorizing the Commission

to issue certain civil citations under certain circumstances; authorizing a certain hearing for civil citations; authorizing the Commission to establish certain violations and fines by regulation; creating a certain separate account within the Home Improvement Guaranty Fund for collection of certain money; specifying the disposition of the money collected as a civil citation; extending the date by which certain companies or firms providing mold remediation must be licensed by the Commission; requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Maryland Home Improvement Commission.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–101(a), (b), and (e) and 8–707(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY adding to
Article – Business Regulation
Section 8–215 and 8–216
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–303(a), 8–308(d), 8–312(a), 8–403, 8–501, 8–601(d), 8–620, 8–718, and 8–802
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Business Regulation~~
~~Section 8–707(a)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2010 Supplement)~~

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(29) and (39)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Chapter 537 of the Acts of the General Assembly of 2008
Section 3

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

8–101.

(a) In this title the following words have the meanings indicated.

(b) "Commission" means the Maryland Home Improvement Commission.

(e) "Fund" means the Home Improvement Guaranty Fund.

8–215.

THE COMMISSION SHALL PUBLISH ON ITS WEB SITE CONSUMER EDUCATION MATERIALS THAT SPECIFY THE PROTECTIONS AVAILABLE TO CONSUMERS THROUGH THE COMMISSION, INCLUDING THE AVAILABILITY OF COMPENSATION FROM THE GUARANTY FUND.

8–216.

THE COMMISSION SHALL DEVELOP A SEARCHABLE WEB SITE THAT INCLUDES A LISTING OF LICENSED CONTRACTORS AND INFORMATION RELATING TO ANY FINAL DISCIPLINARY ACTION TAKEN BY THE COMMISSION AGAINST A LICENSEE IN EACH LICENSEE'S PROFILE.

8–303.

(a) (1) An applicant for a license shall:

(i) submit to the Commission an application on the form that the Commission provides;

(ii) submit to the Commission with the license application proof of compliance with the insurance requirement of § 8–302.1 of this subtitle, if the applicant is applying for a contractor license;

(iii) pay into the Fund the fee required under § 8–404(a) of this title, if the applicant is applying for a contractor license; and

(iv) pay to the Commission an application fee.

(2) The application fee:

(i) for a contractor license is **[**$225**] $250** for each place of business of the contractor;

(ii) for a subcontractor license is **[**$125**] $150**; or

(iii) for a salesperson license is **[**$75**] $100**.

(3) **[**To cover the cost of**] THE FEE FOR** processing an application**[**, $15 of the application fee is nonrefundable**] IS $20**.

8–308.

(d) (1) Before a license expires, the licensee periodically may renew it for an additional 2–year term, if the licensee:

(i) otherwise is entitled to be licensed;

(ii) submits to the Commission a renewal application on the form that the Commission provides;

(iii) submits to the Commission proof of compliance with the insurance requirement of § 8–302.1 of this subtitle, if the licensee is renewing a contractor license;

(iv) submits to the Commission the Department of the Environment lead paint abatement accreditation number and accreditation expiration date, if the licensee provides lead paint abatement services; and

(v) pays to the Commission a renewal fee.

(2) The renewal fee:

(i) for a contractor license is **[**$225**] $250** for each place of business of the contractor;

(ii) for a subcontractor license is **[**$125**] $150**; or

(iii) for a salesperson license is **[**$75**] $100**.

(3) Notwithstanding paragraph (2) of this subsection, a licensee that is incorporated or has its principal office in another state shall pay to the Commission the fee imposed in that state on a similar nonresident business if that fee is higher than the renewal fee under paragraph (2) of this subsection.

8–312.

(a) Except as otherwise provided in § 10–226 of the State Government Article, before the Commission takes any final action under § 8–311 of this subtitle, **OR IF REQUESTED UNDER § 8–620(C) OF THIS TITLE,** it shall give the person against whom the action is contemplated an opportunity for a hearing before the Commission or, as provided under § 8–313 of this subtitle, a hearing board.

8–403.

(a) The Commission shall:

(1) establish a Home Improvement Guaranty Fund; **[**and**]**

(2) keep the Fund at a level of at least $250,000**; AND**

(3) SUBMIT A REPORT DETAILING ACTIONS BEING TAKEN TO RESTORE THE BALANCE OF THE FUND TO A SUSTAINABLE LEVEL TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE WITHIN 30 DAYS OF PROJECTING THAT THE FUND BALANCE WILL BE LESS THAN $250,000.

(b) (1) **[**The**] EXCEPT AS OTHERWISE PROVIDED BY LAW, THE** Commission shall deposit all money collected to the credit of the Fund with the State Treasurer for placement in a special account.

(2) (I) THE COMMISSION SHALL ESTABLISH AND MAINTAIN WITHIN THE FUND A SEPARATE ACCOUNT TO BE HELD WITH THE STATE TREASURER FOR THE PAYMENT OF NECESSARY EXPENSES FOR EXPERT WITNESSES USED TO RESOLVE CLAIMS AGAINST THE FUND.

(II) ONE–HALF OF THE MONEY COLLECTED UNDER § 8–620(C) OF THIS TITLE SHALL BE CREDITED TO THE ACCOUNT ESTABLISHED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) ONE–HALF OF THE MONEY COLLECTED UNDER § 8–620(C) OF THIS TITLE SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

[(2)**] (3)** (i) The State Treasurer shall invest the money in the Fund in the same way that money in the State Retirement and Pension System is invested.

(ii) Investment earnings shall be credited to the Fund.

(c) The Commission shall administer the Fund in accordance with this subtitle.

8–501.

(a) A home improvement contract that does not comply with this section is not invalid merely because of noncompliance.

(b) Each home improvement contract shall:

(1) be in writing and legible;

(2) describe clearly each document that it incorporates; and

(3) be signed by each party to the home improvement contract.

(c) (1) In addition to any other matters on which the parties lawfully agree, each home improvement contract shall contain:

(i) the name, address, **TELEPHONE NUMBER,** and license number of the contractor;

(ii) the name and license number of each salesperson who solicited the home improvement contract or sold the home improvement;

(iii) the approximate dates when the performance of the home improvement will begin and when it will be substantially completed;

(iv) a description of the home improvement to be performed and the materials to be used;

(v) the agreed consideration;

(vi) the number of monthly payments and the amount of each payment, including any finance charge;

(vii) a description of any collateral security for the obligation of the owner under the home improvement contract; **[**and**]**

(viii) a notice that gives the telephone number **AND WEB SITE** of the Commission and states that:

1. each contractor and each subcontractor must be licensed by the Commission; and

2. anyone may ask the Commission about a contractor or subcontractor**; AND**

(IX) A NOTICE SET BY THE COMMISSION BY REGULATION THAT:

1. SPECIFIES THE PROTECTIONS AVAILABLE TO CONSUMERS THROUGH THE COMMISSION; AND

2. ADVISES THE CONSUMER OF THE RIGHT TO PURCHASE A PERFORMANCE BOND FOR ADDITIONAL PROTECTION AGAINST LOSS.

(2) If payment for work performed under the home improvement contract will be secured by an interest in residential real estate, a written notice in not smaller than 10 point bold type that is on the first page of the contract shall state in substantially the following form: "This contract creates a mortgage or lien against your property to secure payment and may cause a loss of your property if you fail to pay the amount agreed upon. You have the right to consult an attorney. You have the right to rescind this contract within 3 business days after the date you sign it by notifying the contractor in writing that you are rescinding the contract."

(3) The notice under paragraph (2) of this subsection shall be independently initialed by the homeowner.

(d) Before the performance of a home improvement begins, the owner shall be given a copy of the home improvement contract signed by the contractor.

(e) A salesperson or other agent or employee of a contractor may not make a change in a home improvement contract for an owner.

8–601.

(d) A person who violates this section is guilty of a misdemeanor and, on first conviction, is subject to a fine not exceeding $1,000 or imprisonment not exceeding **[**30 days**] 6 MONTHS** or both and, on a second or subsequent conviction, is subject to a fine not exceeding $5,000 or imprisonment not exceeding 2 years or both.

8–620.

(a) The Commission may impose on a person who violates this title, including § 8–607(4) of this subtitle, a civil penalty not exceeding $5,000 for each violation, whether or not the person is licensed under this title.

(b) In setting the amount of a civil penalty, the Commission shall consider:

(1) the seriousness of the violation;

(2) the good faith of the violator;

(3) any previous violations;

(4) the harmful effect of the violation on the complainant, the public, and the business of home improvement;

(5) the assets of the violator; and

(6) any other relevant factors.

(C) (1) THE COMMISSION MAY ESTABLISH BY REGULATION A SCHEDULE OF VIOLATIONS AND FINES TO BE USED FOR CIVIL CITATIONS ISSUED UNDER THIS TITLE.

(2) A CITATION ISSUED BY THE COMMISSION SHALL INCLUDE:

(I) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(II) THE NATURE OF THE VIOLATION;

(III) THE LOCATION AND TIME OF THE VIOLATION;

(IV) THE AMOUNT OF THE FINE;

(V) THE MANNER, LOCATION, AND TIME IN WHICH THE FINE MAY BE PAID;

(VI) THE CITED PERSON'S RIGHT TO A HEARING FOR THE VIOLATION; AND

(VII) A WARNING THAT FAILURE TO PAY THE FINE OR TO CONTEST LIABILITY IN A TIMELY MANNER IN ACCORDANCE WITH THE CITATION:

1. IS AN ADMISSION OF LIABILITY; AND

2. MAY RESULT IN AN ENTRY OF A DEFAULT JUDGMENT THAT MAY INCLUDE THE FINE, COURT COSTS, AND ADMINISTRATIVE EXPENSES.

(3) THE COMMISSION SHALL RETAIN A COPY OF THE CITATION.

(4) ALL MONEY COLLECTED UNDER THIS SUBSECTION SHALL BE PAID IN ACCORDANCE WITH § 8–403(B) OF THIS TITLE.

8–707.

(a) Except as otherwise provided in this subtitle, a company or firm shall be licensed by the Commission before the company or firm provides mold remediation services in the State.

8–718.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this subtitle and all regulations adopted under this subtitle shall terminate and be of no effect after July 1, **[**2016**] 2019**.

8–802.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate on **[**October 1, 2012**] JULY 1, 2022.**

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(29) Home Improvement Commission, Maryland (§ 8–201 of the Business Regulation Article: July 1, **[**2011**] 2021**);

(39) mold remediation services, licensing and regulation of (§ 8–701 of the Business Regulation Article: July 1, **[**2015**] 2018**);

Chapter 537 of the Acts of 2008

SECTION 3. AND BE IT FURTHER ENACTED, That on or before **[**June 1, 2010**] JULY 1, 2013**, a company or firm providing mold remediation services shall be

licensed by the Maryland Home Improvement Commission, subject to the qualification and application requirements of this Act.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the Maryland Home Improvement Commission shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of nonstatutory recommendations contained in the Sunset Review: Evaluation of the Maryland Home Improvement Commission conducted by the Department of Legislative Services, specifically:

(1) the implementation of multiple licensing levels, in order to:

(i) encourage ease of access into the industry;

(ii) facilitate upward mobility for licensees to accept larger projects based on experience and capital;

(iii) limit the size of projects that inexperienced contractors may accept;

(iv) reserve use of the Home Improvement Guaranty Fund for claims against new entry–level licensees; and

(v) require surety bonds for licensees in the upper tiers;

(2) a summary of efforts taken to reduce the investigation and processing times for claims referred to the Office of Administrative Hearings;

(3) the advisability of a requirement for the posting of a performance bond for all licensees, and if advisable, in what amounts, and triggered by what price contracts;

(4) a plan for facilitating better communication between licensees and consumers relating to contract performance completion dates;

~~(3)~~ (5) data regarding the number of Fund claims settled through mediation; and

~~(4)~~ (6) any changes in the number of Fund claims filed and whether or not the average time to resolve Fund claims decreased after implementing certain measures.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 18, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 270 – *Alcoholic Beverages – Allegany County Board of License Commissioners – Vacancies*.

Senate Bill 270 alters the manner in which members of the Allegany County Board of License Commissioners ("Board") are appointed. Under current law, there are three members of the Board who are appointed by the Governor with the advice and consent of the Senate, if it is in session, or if not by the Governor alone. Two of the members appointed by the Governor must be members of the political party "which at the last preceding general election in Allegany County polled the greatest number of votes in the aggregate for the several offices of County Commissioner," and the remaining member must be of the political party "which at the last preceding general election in Allegany County polled the second highest number of votes in the aggregate for the several offices of County Commissioner." In addition, the Governor selects a member to serve as Chair.

Article 2B, Section 15–101 generally sets out the appointment process for local Boards of License Commissioners. The Sections that follow detail alternative appointment processes in some local jurisdictions. In general, if not appointed by the Governor, a local Board is appointed by the County Commissioners or the County Executive (Article 2B, Section 15–104), or the County Council or County Commissioners *ex officio* constitute the Board (Article 2B, Sections 15–505, 15–507, 15–507.1 and 15–508 (in Garrett County the Liquor Control Board performs these functions)). For the most part, appointees of the Governor are subject to the advice and consent of the Senate or, in the instance of Caroline County, the House of Delegates.

It is common for the appointing authority to be bound by certain restrictions regarding the political affiliation of the appointees to the Board. Most jurisdictions require a balance of some sort in the number of members from different political parties. In only one instance, Prince George's County, is the appointing authority (the Governor) required to consult with the central committees of the two leading political parties. That consultation resembles the process used to appoint local election boards (Section 2–201 of the Election Law Article); each central committee in Prince George's County submits at least four names for each Board of License Commissioner vacancy. In no instance is the Governor required to accept the nominee sent by a central committee,

let alone have the nominee be subject to the advice and consent of a local central committee.

Senate Bill 270 establishes a unique, if not unprecedented, process by subjecting an appointment by the Governor to the advice and consent of a local political central committee. Putting aside the policy concerns regarding such a change, the process created by the bill would be unwieldy, as the appointment remains subject to the advice and consent of the Senate. The logistics involving an appointing authority needing approval from two other bodies could be complicated and time consuming, as well as the source of significant disagreements.

Senate Bill 270 injects a purely political body into a pivotal role in the appointment of a Board that performs a governmental function. If the citizens of Allegany County are seriously concerned about the current appointment process, Article 2B provides many models for how the process can be structured, and who would be involved in the process. The process pursued in Senate Bill 270 politicizes the appointment, and presumably the Board, by empowering political central committees in a unique manner, and to an even greater extent than they are involved in the appointment of our local election boards. This is both unjustified and unwise.

For these reasons, I have vetoed Senate Bill 270.

Sincerely,

Governor

Senate Bill 270

AN ACT concerning

Alcoholic Beverages – Allegany County Board of License Commissioners – Vacancies

FOR the purpose of requiring the Governor to appoint the members of the Allegany County Board of License Commissioners with the advice and consent of the central committees of certain political parties; providing for the application of this Act; and generally relating to the filling of vacancies on the Allegany County Board of License Commissioners.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages

Section 15–101(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

15–101.

(a) (1) For the jurisdictions in which this section is effective, the Governor, biennially, by and with the advice and consent of the Senate, if in session, and if not in session, then the Governor alone, shall appoint three persons who shall constitute and be styled "The Board of License Commissioners for Baltimore City or ..... County", as the case may be.

(2) In making the appointments, the Governor shall designate one of the appointees in Baltimore City and each of the counties to be the chairman of the respective boards.

(3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.

(4) In the case of any vacancies in the number of the license commissioners in Baltimore City or in any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.

(b) (1) This subsection applies only in Allegany County.

(2) Appointments shall be for terms of 6 years each. The terms of the members are staggered as required by the terms of the members of the Board on January 1, 1994.

(3) **(I)** Two of the members of the Board of License Commissioners shall be members of that political party which at the last preceding general election in Allegany County polled the greatest number of votes in the aggregate for the several offices of County Commissioner therein.

(II) The third member of the Board of License Commissioners shall be a member of that political party which at the last preceding general election in Allegany County polled the second highest number of votes in the aggregate for the several offices of County Commissioner therein.

(4) THE GOVERNOR SHALL APPOINT EACH MEMBER OF THE BOARD OF LICENSE COMMISSIONERS WITH THE ADVICE AND CONSENT OF THE CENTRAL COMMITTEE OF THE RESPECTIVE POLITICAL PARTY AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any member of the Allegany Board of License Commissioners appointed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 272 – *Garrett County – Tax Sales – Auctioneer's Fees.*

This bill alters the auctioneer's fee allowed as an expense and a lien against property to be sold at tax sales in Garrett County to be $8 for each property sold.

House Bill 258, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 272.

Sincerely,

Governor

Senate Bill 272

AN ACT concerning

Garrett County – Tax Sales – Auctioneer's Fees

FOR the purpose of altering the auctioneer's fees allowed as an expense and a lien on property to be sold at certain tax sales in Garrett County; making a certain technical correction; and generally relating to tax sales in Garrett County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–813(e) and (f)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – Property

14–813.

(e) (1) The following expenses relating to the sale shall be allowed, all of which are liens on the property to be sold:

(i) the expense of publication of all notices;

(ii) the cost of the county or municipal corporation surveyor's description and plat, if necessary;

(iii) except as provided in items (vi) and (vii) of this paragraph, a fee to the attorney representing the county treasurer for services, that does not exceed $15 for each property; except that in any county that has a paid full–time solicitor, counsel or attorney, the fee shall be collected and paid into the general funds of the county;

(iv) the auctioneer's fee, as provided in paragraph (2) of this subsection;

(v) in Baltimore County, where provision has been made for the posting of the premises to be sold, a sum that does not exceed $7.50;

(vi) in Somerset County, Wicomico County and Worcester County a fee to the attorney representing the county treasurer or director of finance, that does not exceed $35 for each property, to be approved by the county treasurer or director of finance and by the governing body;

(vii) in Baltimore City:

1. a fee of $30 for each property to the attorney representing the director of finance, that is collected and paid into the General Fund of Baltimore City; and

2. a fee that does not exceed $10 for the mailing of statements and notices;

(viii) in Montgomery County, instead of the fee allowed under item (iii) of this paragraph, a fee that does not exceed $30 for each property for legal services relating to the sale, to be collected and paid into the general funds of the county; and

(ix) a reasonable fee that does not exceed $150 for examinations of title before the mailing of statements and notices.

(2) The auctioneer's fee allowed in paragraph (1) of this subsection shall be:

(i) except in Baltimore City, Caroline County, Carroll County, Cecil County, Dorchester County, **GARRETT COUNTY,** Howard County, Kent County, Prince George's County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, or Worcester County:

1. for any date when 1, 2, or 3 properties are sold, an amount not to exceed $10; and

2. for any date when 4 or more properties are sold, $3 for each property sold;

(ii) in Dorchester County, $10 for each property sold, but in no event may the auctioneer's fee be less than $50 a day or greater than $200 a day;

(iii) in Kent County, an amount not exceeding $7.50 for each property sold;

(iv) in Cecil County and Queen Anne's County, $7.50 for each property sold;

(v) in **GARRETT COUNTY,** Somerset County**,** and Wicomico County, $8 for each property sold;

(vi) in Worcester County, the greater of $8 for each property sold or $300, to be allocated pro rata among each property sold;

(vii) in Baltimore City:

1. for any date when 1, 2, or 3 properties are sold, an amount not to exceed $10;

2. for any date when 4 or more properties are sold, $3 for each property sold; and

3. in an electronic sale, an amount not to exceed $10 for each property sold;

(viii) in Carroll County, the amount set by the Carroll County Commissioners; and

(ix) in Caroline County, Howard County, Prince George's County, and Talbot County, $10 for each property sold.

(f) In Garrett County, instead of complying with (d)(1)(i) through (iv) of this section, the notice shall contain a statement that gives the year or years for which the taxes are due and the amount of the taxes, to whom the property is assessed, the district where the property is located, the quantity of land offered for sale, the name or number of the tract or lot of land, if the property has a name or number, and is assessed by that name or number and if there is record evidence of the property in Garrett County, a reference to the record liber and folio where the deed or conveyance for the property is recorded, the name of the grantor and the date of the deed or conveyance, or any other description as is sufficient legally to identify the property, but in no case is a description by metes and bounds, courses and distances required. The **[**county treasurer**]** **COLLECTOR IN GARRETT COUNTY** may employ an attorney to examine the title to the land to be advertised or sold for taxes, under this subtitle, to provide the information required for the notice and prepare the notice for publication, for which services a sum that does not exceed $150 shall be added to the total charges due on the property.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 279 – *Dorchester County – Tax Sales – Advertisement and Auctioneer Fees*.

This bill decreases, from 4 to 3, the number of times a specified notice is required to be published in Dorchester County in connection with specified tax sales of property and alters the auctioneer's fee in Dorchester County allowed as an expense relating to specified tax sales of property to be $7.50 per property sold.

House Bill 270, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 279.

Sincerely,

Governor

Senate Bill 279

AN ACT concerning

Dorchester County – Tax Sales – Advertisement and Auctioneer Fees

FOR the purpose of altering the number of times a certain notice is required to be published in Dorchester County in connection with certain tax sales of property; altering the auctioneer's fee in Dorchester County allowed as an expense relating to certain tax sales of property; and generally relating to certain tax sales of property in Dorchester County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–813(a)(1) and (e)(1)(iv)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–813(a)(2) and (e)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – Property

14–813.

(a) (1) At any time after 30 days from the mailing of the statement and notice, the collector shall cause to be published, 4 times, once a week for 4 successive weeks in 1 or more newspapers that have a general circulation in the county in which the property is located, a notice that the property will, on the date and at the place named in the notice, be sold at public auction.

(2) In **DORCHESTER COUNTY,** Frederick County, Garrett County, Kent County, and Queen Anne's County, the notice shall be published 3 times, once a week for 3 successive weeks.

(e) (1) The following expenses relating to the sale shall be allowed, all of which are liens on the property to be sold:

(iv) the auctioneer's fee, as provided in paragraph (2) of this subsection;

(2) The auctioneer's fee allowed in paragraph (1) of this subsection shall be:

(i) except in Baltimore City, Caroline County, Carroll County, Cecil County, Dorchester County, Howard County, Kent County, Prince George's County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, or Worcester County:

1. for any date when 1, 2, or 3 properties are sold, an amount not to exceed $10; and

2. for any date when 4 or more properties are sold, $3 for each property sold;

(ii) in Dorchester County, **[**$10 for each property sold, but in no event may the auctioneer's fee be less than $50 a day or greater than $200 a day**]** **$7.50 FOR EACH PROPERTY SOLD**;

(iii) in Kent County, an amount not exceeding $7.50 for each property sold;

(iv) in Cecil County and Queen Anne's County, $7.50 for each property sold;

(v) in Somerset County and Wicomico County, $8 for each property sold;

(vi) in Worcester County, the greater of $8 for each property sold or $300, to be allocated pro rata among each property sold;

(vii) in Baltimore City:

1. for any date when 1, 2, or 3 properties are sold, an amount not to exceed $10;

2. for any date when 4 or more properties are sold, $3 for each property sold; and

3. in an electronic sale, an amount not to exceed $10 for each property sold;

(viii) in Carroll County, the amount set by the Carroll County Commissioners; and

(ix) in Caroline County, Howard County, Prince George's County, and Talbot County, $10 for each property sold.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 296 – *Washington County – Alcoholic Beverages – Micro–Breweries*.

This bill adds Washington County to the list of counties in which a Class 7 micro–brewery license may be issued and authorizes the Comptroller to issue the license in the county to holders of specified retail alcoholic beverages licenses. This bill also adds the county to the list of counties in which a Class 7 micro–brewery licensee may sell, at retail, beer for consumption off the premises under specified circumstances and provides for the hours and days for consumer sales under the license.

House Bill 404, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 296.

Sincerely,

Governor

Senate Bill 296

AN ACT concerning

Washington County – Alcoholic Beverages – Micro–Breweries

FOR the purpose of adding Washington County to the list of counties in which a Class 7 micro–brewery license may be issued; authorizing the Comptroller to issue the license in the county to holders of certain retail alcoholic beverages licenses; adding the county to the list of counties in which a Class 7 micro–brewery licensee may sell at retail beer for consumption off the premises under certain circumstances; providing for the hours and days for consumer sales under the license; prohibiting the Comptroller from issuing a Class 7 micro–brewery license for a premises on property in Washington County that has been leased unless the landlord of the property presents to the Comptroller a receipt or certificate showing certain information relating to the payment of taxes; and generally relating to alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a), (c), and (e)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(b), (d), and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–208(j)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

2–208.

(a) There is a Class 7 micro–brewery (on– and off–sale) license.

(b) The license shall be issued:

(1) By the State Comptroller;

(2) Only in the following jurisdictions:

(i) Allegany County;

(ii) Baltimore City;

(iii) Baltimore County;

(iv) The City of Annapolis;

(v) Anne Arundel County;

(vi) Calvert County;

(vii) Carroll County;

(viii) Charles County;

(ix) Dorchester County;

(x) Frederick County;

(xi) Garrett County;

(xii) Harford County;

(xiii) Howard County;

(xiv) Montgomery County;

(xv) Prince George's County;

(xvi) Talbot County;

(xvii) **WASHINGTON COUNTY;**

(XVIII) Wicomico County; and

[(xviii)**] (XIX)** Worcester County;

(3) (i) Only to a holder of a Class B beer, wine and liquor (on–sale) license that is issued for use on the premises of a restaurant located in a jurisdiction listed in paragraph (2) of this subsection; or

(ii) To a holder of a Class D alcoholic beverages license that is issued for use on the premises of the existing Class D license if the premises are located in **[**the**]:**

1. THE 22nd Alcoholic Beverages District of Prince George's County; **OR**

2. WASHINGTON COUNTY; and

(4) In addition to item (3) of this subsection, in Montgomery County only to a holder of a Class H beer and light wine license that is issued for use on the premises of a restaurant located in the County.

(c) (1) A holder of a Class 7 micro–brewery license:

(i) May brew and bottle malt beverages at the license location;

(ii) May obtain a Class 2 rectifying license for a premises located within 1 mile of the existing Class 7 micro–brewery location to bottle malt beverages brewed at the micro–brewery location only;

(iii) May contract with the holder of a Class 5 brewery license, a Class 7 micro–brewery license, or a Class 2 rectifying license held under § 2–203 of this subtitle or the holder of a nonresident dealer's permit to brew and bottle malt beverages on their behalf;

(iv) May store the finished product under an individual storage permit or at a licensed public storage facility for subsequent sale and delivery to a licensed wholesaler, an authorized person outside this State, and for shipment back to the micro–brewery location for sale on the retail premises;

(v) May not collectively brew, bottle, or contract for more than 22,500 barrels of malt beverages each calendar year; and

(vi) May enter into a temporary delivery agreement with a distributor only for delivery of beer to a beer festival or wine and beer festival and the return of any unused beer if:

1. The beer festival or wine and beer festival is in a sales territory for which the holder does not have a franchise with a distributor under the Beer Franchise Fair Dealing Act; and

2. The temporary delivery agreement is in writing.

(2) A Class 7 licensee who wishes to produce more than the barrelage authorized under paragraph (1)(v) of this subsection shall divest of any Class B, D, or any other retail license and obtain a Class 5 manufacturer's license.

(3) For the purposes of determining the barrelage limitation under paragraph (1)(v) of this subsection, any salable beer produced under contractual arrangements accrues only to the Class 7 micro–brewery licensee who is the brand owner.

(4) In Allegany County only, the holder of a Class 7 license:

(i) May brew in one location and may contract for the bottling of the malt beverage in another location; and

(ii) Need not meet the hotel/motel requirements for a Class B beer, wine and liquor licensee but shall meet the requirements for those Class B restaurants.

(d) (1) The on–sale privilege authorizes the holder, each calendar year, to sell at retail up to 4,000 barrels of beer brewed under this license to customers for consumption on the licensed premises.

(2) The off–sale privilege authorizes the holder to sell and deliver beer brewed under this license to:

(i) Any wholesaler licensed under this article to sell beer in this State; or

(ii) Any person who is located in a state other than Maryland who is authorized under the laws of that state to receive brewed beverages.

(3) (i) This paragraph applies only in:

1. Allegany County;

2. The City of Annapolis;

3. Anne Arundel County;

4. Baltimore City;

5. Baltimore County;

6. Calvert County;

7. Carroll County;

8. Charles County;

9. Dorchester County;

10. Frederick County;

11. Garrett County;

12. Harford County;

13. Howard County;

14. Montgomery County;

15. Prince George's County;

16. Talbot County;

17. **WASHINGTON COUNTY;**

18. Wicomico County; and

[18.**] 19.** Worcester County.

(ii) The holder may sell at retail beer brewed under this license to customers for consumption off the licensed premises in refillable containers that are sealed by the micro–brewery licensee at the time of each refill.

(e) A holder of a Class 7 micro–brewery license:

(1) May not own, operate or be affiliated with any other manufacturer of beer except for a Class 2 rectifying license authorized by subsection (c)(1)(ii) of this section; and

(2) Notwithstanding § 2–201(b) of this subtitle, may not be granted a wholesale alcoholic beverages license.

(f) (1) The hours and days for consumer sales under this license are as established for a Class B license in the respective jurisdictions listed in subsection (b)(2) of this section.

(2) For Class D licensees in the 22nd Alcoholic Beverages District in Prince George's County only, the hours and days for consumer sales under this license are as established for a Class D license in Prince George's County.

(3) FOR CLASS D LICENSEES IN WASHINGTON COUNTY, THE HOURS AND DAYS FOR CONSUMER SALES UNDER THIS LICENSE ARE AS ESTABLISHED FOR A CLASS D LICENSE IN WASHINGTON COUNTY.

(J) (1) THIS SUBSECTION APPLIES ONLY IN WASHINGTON COUNTY.

(2) THE COMPTROLLER MAY NOT ISSUE A CLASS 7 MICRO–BREWERY LICENSE FOR A PREMISES ON PROPERTY THAT HAS BEEN LEASED UNLESS THE LANDLORD OF THE PROPERTY PRESENTS TO THE COMPTROLLER A RECEIPT OR CERTIFICATE SHOWING THAT THERE ARE NO UNPAID TAXES DUE TO THE STATE, A COUNTY, OR ANY LOCAL GOVERNMENT FROM THE LANDLORD OR ANY ENTITY IN WHICH THE LANDLORD HAS A DIRECT OR INDIRECT INTEREST THAT:

(I) IS PROPRIETARY; OR

(II) HAS BEEN OBTAINED BY A LOAN, MORTGAGE, OR LIEN, OR IN ANY OTHER MANNER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 297 – *Washington County – Alcoholic Beverages – Criminal History Records.*

This bill requires the Board of License Commissioners of Washington County to apply to the Criminal Justice Information System Central Repository for a state and

national criminal history records check for each applicant for a new alcoholic beverages license or for a transfer of an existing license. The bill also requires the Board to establish a fee to cover specified costs of obtaining an applicant's criminal records.

House Bill 405, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 297.

Sincerely,

Governor

Senate Bill 297

AN ACT concerning

Washington County – Alcoholic Beverages – Criminal History Records

FOR the purpose of requiring the Board of License Commissioners of Washington County to ~~obtain certain criminal records of an applicant~~ *apply to the Criminal Justice Information System Central Repository for a state and national criminal history records check for each applicant* for a new alcoholic beverages license or for a transfer of an existing license; *requiring the Board to submit fingerprints of each applicant and certain fees to the Central Repository; requiring the Central Repository to forward certain information to the applicant and the Board;* requiring the board to establish a fee to cover certain costs of obtaining an applicant's criminal records; providing that ~~criminal records obtained~~ *certain information obtained from the Central Repository* under this Act ~~are~~ *is* confidential, may be used only for licensing purposes, shall be kept in sealed envelopes and made available only to certain persons, and shall be destroyed on completion of their use; providing that the failure of the Federal Bureau of Investigation to provide requested criminal records by a certain date may not delay an applicant's scheduled hearing or the issuance of a license; authorizing an applicant to contest the contents of a certain written statement; requiring the board to adopt regulations to implement this Act and preserve the confidentiality of information obtained under this Act; defining certain terms; and generally relating to alcoholic beverages licenses in Washington County.

BY adding to
Article 2B – Alcoholic Beverages
Section 10–103(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

10–103.

(E) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "APPLICANT" MEANS AN APPLICANT FOR A NEW ALCOHOLIC BEVERAGES LICENSE OR FOR A TRANSFER OF AN EXISTING ALCOHOLIC BEVERAGES LICENSE.

(III) "BOARD" MEANS THE BOARD OF LICENSE COMMISSIONERS OF WASHINGTON COUNTY.

(IV) "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(2) THIS SUBSECTION APPLIES ONLY IN WASHINGTON COUNTY.

~~**(3) FOR EACH APPLICANT, THE BOARD SHALL:**~~

~~**(I) OBTAIN CRIMINAL RECORDS OF THE APPLICANT FROM THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;**~~

~~**(II) REQUIRE THE APPLICANT TO SUBMIT THE APPLICANT'S FINGERPRINTS; AND**~~

~~**(III) FORWARD THE FINGERPRINTS THROUGH THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY FOR TRANSMITTAL TO THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.**~~

(3) (I) THE BOARD SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR EACH APPLICANT.

(II) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE BOARD SHALL SUBMIT TO THE CENTRAL REPOSITORY:

1. TWO COMPLETE SETS OF THE APPLICANT'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE

CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

2. THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

3. THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(III) IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE APPLICANT AND THE BOARD THE APPLICANT'S CRIMINAL HISTORY RECORD INFORMATION.

(4) THE BOARD SHALL ESTABLISH A FEE TO COVER THE COST OF OBTAINING:

(I) THE APPLICANT'S FINGERPRINTS; AND

(II) THE STATE AND NATIONAL CRIMINAL RECORDS.

(5) ~~CRIMINAL RECORDS OBTAINED~~ *INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY* UNDER THIS SUBSECTION:

(I) ~~ARE~~ *IS* CONFIDENTIAL AND MAY NOT BE ~~DISSEMINATED TO THE PUBLIC~~ *REDISSEMINATED*;

(II) MAY BE USED ONLY FOR LICENSING PURPOSES;

(III) SHALL BE KEPT IN SEALED ENVELOPES AVAILABLE ONLY TO BOARD MEMBERS, INSPECTORS, ADMINISTRATORS, AND DESIGNEES OF THE BOARD; AND

(IV) SHALL BE DESTROYED ON COMPLETION OF THEIR NECESSARY USE.

(6) A HEARING FOR AN APPLICANT AND THE ISSUANCE OF A LICENSE MAY NOT BE DELAYED DUE TO THE FAILURE OF THE FEDERAL BUREAU OF INVESTIGATION TO PROVIDE THE REQUESTED CRIMINAL RECORDS BY THE DATE OF THE SCHEDULED HEARING.

(7) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SUBSECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY UNDER § 10–223 OF THE CRIMINAL PROCEDURE ARTICLE.

(8) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION AND PRESERVE THE CONFIDENTIALITY OF THE INFORMATION OBTAINED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 18, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 330 – *Frederick County – Nonprofit School Lease – Property Tax Credit*.

Senate Bill 330 requires Frederick County or a municipality in the county to grant a property tax credit for property leased to a nonprofit school and used exclusively for primary or secondary educational purposes. Furthermore, the bill requires the lessor of real property eligible for the property tax credit to reduce the amount of taxes for which a nonprofit school is contractually liable under the lease agreement by the amount of the property tax credit.

According to the sponsors, the bill was intended to exempt public charter schools in Frederick County from having to pay property taxes on property leased by a school from a private owner. Presently, the Monocacy Valley Montessori Public Charter School which is located in the City of Frederick would be eligible for the proposed property tax credit. As amended, however, the bill grants a property tax exemption to all private schools that lease property in Frederick County, not just charter schools.

The sponsors of Senate Bill 330 and the entire Frederick County Delegation have requested that I veto the legislation because the property tax exemption in the bill was

not intended to cover all private schools. The Frederick County Board of Commissioners is also seeking a veto of the bill. The sponsors correctly point out that Senate Bill 609, which I will sign into law on May 19, 2011, exempts any portion of a building or property occupied and used by a public charter school from property taxes. According to the Attorney General's Office, this exemption would apply to the Monocacy Valley Montessori School and any new charter schools in Frederick County, so the exemption required under Senate Bill 330 is unnecessary.

Therefore, because the statewide property tax exemption contained in Senate Bill 609 meets the intended policy objectives of Senate Bill 330, I am hereby vetoing this legislation.

Sincerely,

Governor

Senate Bill 330

AN ACT concerning

Frederick County – ~~Public~~ Nonprofit School Lease – Property Tax Credit

FOR the purpose of requiring rather than authorizing Frederick County to grant, by law, a property tax credit for real property leased to ~~the Frederick County Board of County Commissioners or to the Frederick County Board of Education~~ a nonprofit school and used exclusively for ~~public school~~ primary or secondary educational purposes; *requiring a lessor of real property eligible for a certain tax credit to reduce the amount of taxes for which the tenant is contractually liable under the lease;* and providing for the application of this Act.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~9–312(d)~~ 9–312(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – Property

9–312.

~~(d) The governing body of Frederick County and of a municipal corporation in Frederick County **[**may**]** **SHALL** grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on real property that is:~~

~~(1) leased to the Frederick County Board of County Commissioners or to the Frederick County Board of Education; and~~

~~(2) used exclusively for public school educational purposes.~~

(e) ***(1)*** The governing body of Frederick County and of a municipal corporation in Frederick County **[**may**]** **SHALL** grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on real property that is:

~~(1)~~ ***(I)*** leased to a nonprofit school; and

~~(2)~~ ***(II)*** used exclusively for primary or secondary educational purposes.

(2) THE LESSOR OF REAL PROPERTY ELIGIBLE FOR A CREDIT UNDER THIS SUBSECTION SHALL REDUCE THE AMOUNT OF TAXES FOR WHICH A TENANT IS CONTRACTUALLY LIABLE UNDER THE LEASE AGREEMENT BY THE AMOUNT OF ANY CREDIT ALLOWED UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011, and shall be applicable to all taxable years beginning after June 30, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 331 – *Frederick County – Roadside Solicitation of Money or Donations – Permit Program*.

This bill authorizes Frederick County, or a municipality in the county, to enact a permit program allowing a person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle under specified conditions.

House Bill 263, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 331.

Sincerely,

Governor

Senate Bill 331

AN ACT concerning

Frederick County – Roadside Solicitation of Money or Donations – Permit Program

FOR the purpose of authorizing Frederick County or a municipal corporation in Frederick County under certain conditions to enact a permit program allowing a person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle; requiring a permit application to include certain information; requiring the county or municipal corporation to approve or deny an application within a certain period; authorizing the county or municipal corporation to impose conditions on the solicitation; and generally relating to a permit program for roadside solicitation of money and donations in Frederick County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – Transportation
Section 21–507(k)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

21–507.

(c) In Carroll County, Charles County, [Frederick County,] Harford County, and Washington County, a person may not stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle.

(K) (1) THIS SUBSECTION APPLIES ONLY IN FREDERICK COUNTY.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A PERSON MAY NOT STAND IN A ROADWAY, A MEDIAN DIVIDER, OR AN INTERSECTION TO SOLICIT MONEY OR DONATIONS FROM THE OCCUPANT OF A VEHICLE.

(3) THE COUNTY OR A MUNICIPAL CORPORATION IN THE COUNTY MAY BY ORDINANCE ENACT A PERMIT PROGRAM TO ALLOW A PERSON TO STAND IN A ROADWAY, A MEDIAN DIVIDER, OR AN INTERSECTION TO SOLICIT MONEY OR DONATIONS FROM THE OCCUPANT OF A VEHICLE IF THE SOLICITATION OCCURS COMPLETELY IN THE COUNTY OR MUNICIPAL CORPORATION.

(4) IF THE COUNTY OR A MUNICIPAL CORPORATION ENACTS AN ORDINANCE ESTABLISHING A PERMIT PROGRAM, THE ORDINANCE SHALL REQUIRE A PERSON SEEKING A PERMIT TO FILE AN APPLICATION CONTAINING THE FOLLOWING INFORMATION:

(I) THE DATE, TIME, AND LOCATION OF THE SOLICITATION;

(II) THE MANNER AND CONDITIONS UNDER WHICH THE SOLICITATION IS TO OCCUR; AND

(III) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF A CONTACT PERSON OF THE EMPLOYING OR SPONSORING PERSON, AGENCY, OR ENTITY ON WHOSE BEHALF THE SOLICITATION IS TO BE MADE, WHO WILL BE ABLE TO PROVIDE ADDITIONAL INFORMATION TO THE COUNTY, MUNICIPAL CORPORATION, OR THE DESIGNEE OF THE COUNTY OR MUNICIPAL CORPORATION.

(5) THE COUNTY OR MUNICIPAL CORPORATION:

(I) WITHIN 5 DAYS AFTER THE APPLICATION IS FILED, SHALL APPROVE OR DENY THE APPLICATION; AND

(II) MAY IMPOSE CONDITIONS ON THE SOLICITATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 333 – *Children in Need of Assistance – Hearings – Written Findings.*

This bill requires the juvenile court, in specified child in need of assistance hearings, to send written findings to specified individuals and agencies if the court finds that specified reasonable efforts were made but that a specified condition exists.

House Bill 1118, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 333.

Sincerely,

Governor

Senate Bill 333

AN ACT concerning

Children in Need of Assistance – Hearings – Written Findings

FOR the purpose of requiring the juvenile court, in certain child in need of assistance hearings, to send certain written findings to certain individuals and agencies if the court finds that certain reasonable efforts were made but that a certain condition exists; and generally relating to children in need of assistance.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

3–816.1.

(a) The provisions of this section apply to a hearing conducted in accordance with § 3–815, § 3–817, § 3–819, or § 3–823 of this subtitle or a review hearing conducted in accordance with § 5–326 of the Family Law Article in which a child is placed under an order of guardianship, commitment, or shelter care.

(b) (1) In a hearing conducted in accordance with § 3–815, § 3–817, § 3–819, or § 3–823 of this subtitle, the court shall make a finding whether the local department made reasonable efforts to prevent placement of the child into the local department's custody.

(2) In a review hearing conducted in accordance with § 3–823 of this subtitle or § 5–326 of the Family Law Article, the court shall make a finding whether a local department made reasonable efforts to:

(i) Finalize the permanency plan in effect for the child; and

(ii) Meet the needs of the child, including the child's health, education, safety, and preparation for independence.

(3) In a hearing conducted in accordance with § 3–815, § 3–817, or § 3–819 of this subtitle, before determining whether a child with a developmental disability or a mental illness is a child in need of assistance, the court shall make a finding whether the local department made reasonable efforts to prevent placement of the child into the local department's custody by determining whether the local department could have placed the child in accordance with a voluntary placement agreement under § 5–525(b)(1)(i) or (iii) of the Family Law Article.

(4) The court shall require a local department to provide evidence of its efforts before the court makes a finding required under this subsection.

(5) The court's finding under this subsection shall assess the efforts made since the last adjudication of reasonable efforts and may not rely on findings from prior hearings.

(c) In making its findings in accordance with subsection (b) of this section, the court shall consider:

(1) The extent to which a local department has complied with the law, regulations, state or federal court orders, or a stipulated agreement accepted by the court regarding the provision of services to a child in an out–of–home placement;

(2) Whether a local department has ensured that:

(i) A caseworker is promptly assigned to and actively responsible for the case at all times;

(ii) The identity of the caseworker has been promptly communicated to the court and the parties; and

(iii) The caseworker is knowledgeable about the case and has received on a timely basis all pertinent files and other information after receiving the assignment from the local department;

(3) For a hearing under § 3–823 of this subtitle, whether a local department has provided appropriate services that facilitate the achievement of a permanency plan for the child, including consideration of in–State and out–of–state placement options;

(4) Whether the child's placement has been stable and in the least restrictive setting appropriate, available, and accessible for the child during the period since the most recent hearing held by the court;

(5) Whether a local department notified the court and all parties before any change of placement for the child, or, if emergency conditions made a change necessary, as soon as possible after the change of placement;

(6) On receipt of a report of maltreatment of a child occurring while the child is in the custody of a local department, whether the local department provided the appropriate parties, including the child's attorney, a report or notice of a report of the suspected maltreatment of the child and of the disposition of the investigation within the time required by regulation and court order; and

(7) Whether a local department has provided appropriate and timely services to help maintain the child in the child's existing placement, including all services and benefits available in accordance with State law, regulations, state and federal court orders, stipulated agreements, or professional standards regarding the provision of services to children in out–of–home placements.

(d) In making a finding in accordance with subsection (b) of this section, a court may not consider a potential loss of federal funding for placement of a child that may result from a determination that reasonable efforts were not made.

(e) A court shall make the findings required under subsection (b) of this section in writing if it finds that reasonable efforts are being made for a child, but also finds that at least one of the following conditions exists:

(1) A local department did not comply with law, regulations, court orders, or agreements described in subsection (c)(1) of this section;

(2) A local department did not ensure continuity of casework as described in subsection (c)(2) of this section;

(3) A local department did not provide the services described in subsection (c)(3) of this section;

(4) During the period since the most recent court hearing, the child has not been placed in a stable placement or in the least restrictive setting appropriate, available, and accessible for the child;

(5) A local department failed to provide reports or notices of reports in a timely manner as described in subsection (c)(5) or (6) of this section; or

(6) A local department has not provided the services described in subsection (c)(7) of this section.

(f) If the court finds that reasonable efforts for a child were not made in accordance with subsection (b) of this section or finds that reasonable efforts were **[**not**]** made **BUT THAT ONE OF THE CONDITIONS DESCRIBED IN SUBSECTION (E) OF THIS SECTION EXISTS**, the court promptly shall send its written findings to:

(1) The director of the local department;

(2) The Social Services Administration;

(3) The State Citizens Review Board for Children established under § 5–535 of the Family Law Article;

(4) If applicable, the local citizens review panel established under § 5–539.2 of the Family Law Article; and

(5) Any individual or agency identified by a local department or the court as responsible for monitoring the care and services provided to children in the legal custody or guardianship of the local department on a systemic basis.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate

H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 357 – *State Retirement and Pension System – Administration – Simplification.*

This bill clarifies, corrects, and simplifies several sections of law governing employee and retiree health benefits and the State Retirement and Pension System.

House Bill 333, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 357.

Sincerely,

Governor

Senate Bill 357

AN ACT concerning

State Retirement and Pension System – Administration – Simplification

FOR the purpose of clarifying that certain employees of the Baltimore Metropolitan Council may participate in the State Employee and Retiree Health and Welfare Benefits Program; clarifying that the definition of "Social Security integration level" for purposes of calculating certain State Retirement and Pension System benefits only applies to certain members of the several systems who are eligible to receive certain benefits; clarifying that the State is required to pay a certain amount of the cost of special death benefits for members of the State Police Retirement System; clarifying that certain retirees of withdrawn participating governmental units of the State Retirement and Pension System are subject to a certain break in service before becoming reemployed by the same withdrawn participating governmental unit; clarifying that a certain death benefit may not be paid for certain members of the Law Enforcement Officers' Pension System if a certain other death benefit is also payable; and generally relating to simplifying the administration of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–511, 20–101(nn), 21–307(e), 22–406(d), 23–407(d), 25–403(h), 26–403(f), and 29–202
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

2–511.

(a) This section applies to employees of:

(1) the Maryland Environmental Service;

(2) the Northeast Maryland Waste Disposal Authority; and

(3) the Baltimore Metropolitan Council **[**who were employees of the Baltimore Regional Council of Governments on June 30, 1992**]**.

(b) Subject to the regulations adopted under § 2–503 of this subtitle, an employee or, while receiving an allowance under the Employees' Retirement System of the State of Maryland or the Employees' Pension System of the State of Maryland, an employee's surviving spouse:

(1) may enroll and participate in the health insurance or other benefit options established under the Program; and

(2) except as provided in subsection (d) of this section, is subject to the same terms and conditions as those provided under § 2–507 of this subtitle.

(c) While receiving an allowance under the Employees' Retirement System of the State of Maryland or the Employees' Pension System of the State of Maryland, a former employee or a former employee's surviving spouse or dependent child:

(1) may enroll and participate in the health insurance benefit options established under the Program; and

(2) except as provided in subsection (d) of this section, is subject to the same terms and conditions as those provided under § 2–508 of this subtitle, with the employee's service with the Maryland Environmental Service, Northeast Maryland Waste Disposal Authority, and the Baltimore Metropolitan Council being included as part of the employee's State service.

(d) For each participant under this section, the Maryland Environmental Service, the Northeast Maryland Waste Disposal Authority, and the Baltimore Metropolitan Council or any successor agency, shall pay to the State the respective employer share of the cost of the Program based on the State subsidy allowed under this subtitle.

20–101.

(nn) "Social Security integration level" means, with respect to the calendar year in which a member retires or otherwise separates from employment, the average yearly amount of earnings for which old age and survivors benefits would be provided under Title II of the federal Social Security Act for an employee **[**65 years old**]** **WHO IS ELIGIBLE TO RECEIVE FULL OLD AGE AND SURVIVORS BENEFITS PROVIDED UNDER TITLE II OF THE FEDERAL SOCIAL SECURITY ACT** in that calendar year that is:

(1) computed as though for each previous year yearly earnings are at least equal to the maximum amount of yearly earnings subject to tax under the Federal Insurance Contributions Act; and

(2) rounded to the next lower multiple of $100.

21–307.

(e) (1) For a member of the State Police Retirement System, the State shall pay the **FULL** cost of special death benefits under **[**§ 29–204(a)(2)(i)2**]** **§ 29–204** of this article**[**, including the normal contribution rate and the accrued liability rate, up to the current contribution rate for employers for federal old age, survivors, and disability insurance.

(2) Except as provided in paragraph (3) of this subsection, the members shall pay the cost of the special death benefits that exceeds the current rate for federal old age, survivors, and disability insurance.

(3) The State shall pay the full costs of each special death benefit applicable to each member whose death arises out of or in the course of actual performance of duty**]**.

22–406.

(d) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

23–407.

(d) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

25–403.

(h) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at

the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

26–403.

(f) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; **[**or**]**

(2) (I) AT THE TIME OF RETIREMENT, THE INDIVIDUAL WAS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM AS AN EMPLOYEE OF A WITHDRAWN GOVERNMENTAL UNIT; AND

(II) THE INDIVIDUAL'S CURRENT EMPLOYER IS THE SAME WITHDRAWN GOVERNMENTAL UNIT THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL'S LAST SEPARATION FROM EMPLOYMENT WITH A WITHDRAWN GOVERNMENTAL UNIT BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

[(2)**] (3)** the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

29–202.

(a) (1) When the Board of Trustees receives proof of death of an individual who died while employed as a member, the Board of Trustees shall pay to the designated beneficiary or, if there is no designated beneficiary, to the member's estate the amounts specified in this subsection.

(2) Subject to paragraph (1) of this subsection, the Board of Trustees shall pay the member's accumulated contributions.

(3) Subject to paragraph (1) of this subsection, the Board of Trustees shall pay an amount equal to the member's annual earnable compensation at death if the member dies in the course of the performance of duty or the member has at least 1 year of eligibility service.

(b) (1) A death benefit under this section may not be paid for the death of a member of the State Police Retirement System if a special death benefit under § 29–204 of this subtitle is payable or has been paid for that death.

(2) A death benefit under this section may not be paid for the death of a member of the Correctional Officers' Retirement System if a special death benefit under § 29–204.1 of this subtitle is payable or has been paid for that death.

(3) A death benefit under this section may not be paid for the death of a member of the Employees' Retirement System, Employees' Pension System, Teachers' Retirement System, or Teachers' Pension System if a special death benefit under § 29–204.2 of this subtitle is payable or has been paid for that death.

(4) A DEATH BENEFIT UNDER THIS SECTION MAY NOT BE PAID FOR THE DEATH OF A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IF A SPECIAL DEATH BENEFIT UNDER § 29–203 OF THIS SUBTITLE IS PAYABLE OR HAS BEEN PAID FOR THAT DEATH.

(c) The Board of Trustees may provide the death benefit as group life insurance if the Board of Trustees finds that the designated beneficiaries would receive a more favorable tax treatment of the death benefit.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.

President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 366 – *Allegany County – Alcoholic Beverages – Eligibility for Class B–BT (Buffet Theater) License.*

This bill alters the types of entertainment that an establishment in Allegany County may provide to its customers to be eligible for a Class B–BT (Buffet Theater) beer, light wine and liquor license to include live acoustic–style music and feature films.

House Bill 376, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 366.

Sincerely,

Governor

Senate Bill 366

AN ACT concerning

Allegany County – Alcoholic Beverages – Eligibility for Class B–BT (Buffet Theater) License

FOR the purpose of altering in Allegany County the types of entertainment that an establishment may provide to its customers to be eligible for a Class B–BT (Buffet Theater) beer, light wine and liquor license to include live acoustic–style music and feature films; and generally relating to eligibility for a Class B–BT (Buffet Theater) beer, light wine and liquor license in Allegany County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(b)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

6–201.

(b) (3) (i) The Board of License Commissioners may issue a special Class B–BT (Buffet Theater) on–sale beer, light wine and liquor license for the use of an establishment that:

1. Is operated as a nonprofit professional theater;

2. Provides **TO ITS CUSTOMERS** live Broadway–style musicals, comedy, **[**or**]** drama **[**to its customers**], LIVE ACOUSTIC–STYLE MUSIC, OR FEATURE FILMS**; and

3. Is open to the public by reservation.

(ii) The holder of a Class B–BT license may sell at retail beer and light wine by the drink or by the bottle and liquor by the drink only for on–premises consumption beginning 2 hours before the **[**live**]** performance, during the performance, and for 2 hours after the end of the performance on:

1. Monday through Saturday; and

2. Sunday no earlier than 1 p.m.

(iii) The license does not authorize the holder to sell alcoholic beverages:

1. For off–premises consumption by the drink or by the bottle; or

2. At any time except in conjunction with the buffet theater.

(iv) The annual fee for a Class B–BT license is $350.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 393 – *Calvert County – Regulation of Roads*.

This bill authorizes the County Commissioners of Calvert County, by ordinance, to regulate the grading, constructing, improving, maintaining, and repairing of roads and authorizes the County Commissioners to establish standards for utility cuts in and across county rights–of–way. This bill also authorizes the County Commissioners to regulate access to county–owned roads and authorizes the County Commissioners to establish minimum standards for new roads.

House Bill 992, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 393.

Sincerely,

Governor

Senate Bill 393

AN ACT concerning

Calvert County – Regulation of Roads

FOR the purpose of authorizing the County Commissioners of Calvert County, by ordinance, to regulate the grading, constructing, improving, maintaining, and repairing of certain roads; authorizing the County Commissioners to ~~regulate the construction and maintenance activities of private and public utilities in~~ establish standards for utility cuts in and across county rights–of–way; authorizing the County Commissioners to regulate access to county–owned roads; authorizing the County Commissioners to establish certain minimum standards for new roads; authorizing the County Commissioners to regulate the engineering and constructing and acceptance into the county roads system of certain new public roads, bridges, sidewalks, curbs, gutters, and storm drainage facilities; authorizing the County Commissioners to establish certain fees and provide for certain civil penalties; providing for the enforcement of an ordinance enacted under this Act in the same manner and to the same extent as certain municipal infractions; authorizing the County Commissioners to seek other remedies provided by law; *providing for the application of this Act;* and generally relating to the authority of the County Commissioners of Calvert County to regulate roads in the county.

BY adding to
Article 25 – County Commissioners

Section 11
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 25 – County Commissioners

11.

(A) ***THIS SECTION DOES NOT APPLY TO A PRIVATELY OWNED ROAD IN CALVERT COUNTY THAT HAS BEEN CONSTRUCTED ON OR BEFORE SEPTEMBER 30, 2011.***

(B) **BY ORDINANCE, THE COUNTY COMMISSIONERS OF CALVERT COUNTY MAY:**

(1) REGULATE THE GRADING, CONSTRUCTING, IMPROVING, MAINTAINING, AND REPAIRING OF COUNTY ROADS AND *NEW* ROADS INTENDED FOR FUTURE PUBLIC USE, INCLUDING ROADS PROPOSED FOR ANY SUBDIVISION APPROVED BY THE CALVERT COUNTY PLANNING COMMISSION, WHETHER RECORDED OR PROPOSED, INCLUDING SIDEWALKS, CURBS, GUTTERS, DRIVEWAY ENTRANCES, STORM DRAINAGE FACILITIES, AND APPURTENANCES TO BE LOCATED IN THE SUBDIVISION;

(2) ~~REGULATE THE CONSTRUCTION AND MAINTENANCE ACTIVITIES OF PRIVATE AND PUBLIC UTILITIES IN~~ ESTABLISH STANDARDS FOR UTILITY CUTS IN AND ACROSS COUNTY RIGHTS–OF–WAY;

(3) REGULATE ACCESS TO COUNTY–OWNED ROADS;

(4) ESTABLISH MINIMUM STANDARDS TO WHICH A *NEW* ROAD IN A SUBDIVISION IN CALVERT COUNTY MUST BE CONSTRUCTED BEFORE THE ISSUANCE OF A BUILDING PERMIT THAT PERTAINS TO A LOT SERVED BY THE ROAD;

(5) REGULATE THE ENGINEERING AND CONSTRUCTING OF ANY NEW PUBLIC ROAD, BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE FACILITY PROPOSED FOR ACCEPTANCE INTO THE COUNTY ROADS SYSTEM;

(6) REGULATE THE ACCEPTANCE OF ANY NEW PUBLIC ROAD, BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE FACILITY INTO THE COUNTY ROADS SYSTEM;

(7) ESTABLISH FEES TO DEFRAY THE COST OF REVIEWING PLANS AND PERFORMING INSPECTIONS FOR THE CONSTRUCTION OF ROADS AND UTILITY CUTS IN ACCORDANCE WITH AN ORDINANCE ENACTED UNDER THIS SECTION; AND

(8) PROVIDE FOR A CIVIL PENALTY FOR VIOLATION OF AN ORDINANCE ENACTED UNDER THIS SECTION.

~~(B)~~ *(C)* A VIOLATION OF AN ORDINANCE ENACTED UNDER THIS SECTION SHALL BE ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT AS PROVIDED FOR MUNICIPAL INFRACTIONS UNDER ARTICLE 23A, § 3(B) OF THE CODE.

~~(C)~~ *(D)* IN ADDITION TO ANY REMEDIES PROVIDED FOR UNDER AN ORDINANCE ENACTED UNDER THIS SECTION, THE COUNTY COMMISSIONERS OF CALVERT COUNTY MAY SEEK OTHER REMEDIES PROVIDED BY LAW.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 403 – *State Retirement and Pension System – Reemployment Earnings Offset – Retiree Health Care Premiums*.

This bill limits the re–employment earnings offset for re–employed retirees of the State Retirement and Pension System to the monthly state–approved medical insurance premiums for those retired from any unit of State government, and to the approved monthly medical insurance premiums required by the employer for those retired from participating employers.

House Bill 634, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 403.

Sincerely,

Governor

Senate Bill 403

AN ACT concerning

State Retirement and Pension System – Reemployment Earnings Offset – Retiree Health Care Premiums

FOR the purpose of limiting a certain reemployment earnings offset for certain reemployed retirees of the State Retirement and Pension System to a certain amount under certain circumstances; requiring the Board of Trustees of the State Retirement and Pension System to recover a certain portion of certain retirement income from certain retirees of the State Retirement and Pension System under certain circumstances; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the reemployment earnings offset for reemployed retirees of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 22–406(c)(1), 23–407(c)(1), 24–405(a), and 25–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(c)(2), 23–407(c)(2), 24–405(b), and 25–403(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 24–405(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–405(b)

Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–406(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

22–406.

(c) (1) Except as provided in § 22–407 of this subtitle, the Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (b) of this section if:

(i) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance or vested allowance;

(ii) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government; or

(iii) the individual becomes reemployed within 12 months of receiving an early service retirement allowance under § 22–402 of this subtitle.

(2) (i) Except as provided in subparagraph (ii) of this paragraph **AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH**, the reduction required under paragraph (1) of this subsection shall equal:

1. the amount by which the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance; or

2. for a retiree who retired under the Workforce Reduction Act (Chapter 353 of the Acts of 1996), the amount by which the sum of the

retiree's annual compensation and the retiree's annual basic allowance at the time of retirement, including the incentive provided by the Workforce Reduction Act, exceeds the average final compensation used to compute the basic allowance.

(ii) 1. This subparagraph applies to a retiree of the Teachers' Retirement System who as faculty received a 10–month salary and retired directly from:

A. the University System of Maryland;

B. Morgan State University;

C. St. Mary's College; or

D. a community college established or operating under Title 16 of the Education Article.

2. The reduction required under paragraph (1) of this subsection shall equal the amount by which the sum of the retiree's initial annual basic allowance and the retiree's annual compensation, as calculated in subsubparagraph 3 of this subparagraph, exceeds the average final compensation of the retiree used to compute the basic allowance.

3. The calculation of the retiree's annual compensation in subsubparagraph 2 of this subparagraph does not include any of the following earnings the retiree received during the previous calendar year from the employer with whom the retiree is reemployed:

A. bonuses;

B. overtime;

C. summer school salaries;

D. adult education salary;

E. additional temporary payments from special research projects;

F. honorariums; and

G. vehicle stipends.

(III) 1. ANY REDUCTION TAKEN TO A RETIREE'S ALLOWANCE UNDER THIS SUBSECTION MAY NOT EXCEED AN AMOUNT THAT WOULD REDUCE THE RETIREE'S ALLOWANCE TO LESS THAN WHAT IS REQUIRED TO BE DEDUCTED FOR:

A. IF THE RETIREE RETIRED FROM ANY UNIT OF STATE GOVERNMENT*, THE RETIREE'S MONTHLY STATE–APPROVED MEDICAL INSURANCE PREMIUMS*; OR

***B. IF THE RETIREE RETIRED FROM A PARTICIPATING EMPLOYER OTHER THAN THE STATE, THE APPROVED MONTHLY MEDICAL INSURANCE PREMIUMS REQUIRED BY THE PARTICIPATING EMPLOYER THAT EMPLOYED THE RETIREE AT THE TIME OF THE RETIREE'S RETIREMENT*.**

2. IF A REDUCTION FOR A CALENDAR YEAR TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS LESS THAN THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD OF TRUSTEES SHALL RECOVER FROM THE RETIREE AN AMOUNT EQUAL TO THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH LESS THE REDUCTION TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

23–407.

(c) (1) Except as provided in § 23–408 of this subtitle, the Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (b) of this section if:

(i) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance or vested allowance;

(ii) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government; or

(iii) the individual becomes reemployed within 12 months of receiving an early service retirement allowance or an early vested allowance computed under § 23–402 of this subtitle.

(2) (i) Except as provided in subparagraph (ii) of this paragraph **AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH**, the reduction required under paragraph (1) of this subsection shall equal:

1. the amount by which the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance; or

2. for a retiree who retired under the Workforce Reduction Act (Chapter 353 of the Acts of 1996), the amount by which the sum of the retiree's annual compensation and the retiree's annual basic allowance at the time of retirement, including the incentive provided by the Workforce Reduction Act, exceeds the average final compensation used to compute the basic allowance.

(ii) 1. This subparagraph applies to a retiree of the Teachers' Pension System who as faculty receiving a 10–month salary, retired directly from:

A. the University System of Maryland;

B. Morgan State University;

C. St. Mary's College; or

D. a community college established or operating under Title 16 of the Education Article.

2. The reduction required under paragraph (1) of this subsection shall equal the amount by which the sum of the retiree's initial annual basic allowance and the retiree's annual compensation, as calculated in subsubparagraph 3 of this subparagraph, exceeds the average final compensation of the retiree used to compute the basic allowance.

3. The calculation of the retiree's annual compensation in subsubparagraph 2 of this subparagraph does not include any of the following earnings the retiree received during the previous calendar year from the employer with whom the retiree is reemployed:

A. bonuses;

B. overtime;

C. summer school salaries;

D. adult education salary;

E. additional temporary payments from special research projects;

F. honorariums; and

G. vehicle stipends.

(III) 1. ANY REDUCTION TAKEN TO A RETIREE'S ALLOWANCE UNDER THIS SUBSECTION MAY NOT EXCEED AN AMOUNT THAT WOULD REDUCE THE RETIREE'S ALLOWANCE TO LESS THAN WHAT IS REQUIRED TO BE DEDUCTED FOR*:*

A. IF THE RETIREE RETIRED FROM ANY UNIT OF STATE GOVERNMENT,* THE RETIREE'S MONTHLY STATE–APPROVED MEDICAL INSURANCE PREMIUMS*; OR

B. IF THE RETIREE RETIRED FROM A PARTICIPATING EMPLOYER OTHER THAN THE STATE, THE APPROVED MONTHLY MEDICAL INSURANCE PREMIUMS REQUIRED BY THE PARTICIPATING EMPLOYER THAT EMPLOYED THE RETIREE AT THE TIME OF THE RETIREE'S RETIREMENT*.

2. IF A REDUCTION FOR A CALENDAR YEAR TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS LESS THAN THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD OF TRUSTEES SHALL RECOVER FROM THE RETIREE AN AMOUNT EQUAL TO THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH LESS THE REDUCTION TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

25–403.

(a) Except as provided in subsection (h) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if the individual immediately notifies the Board of Trustees:

(1) of the individual's intention to accept the employment; and

(2) of the compensation that the individual will receive.

(b) (1) The Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (a) of this section if the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government.

(2) **(I) [**The**] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE** reduction under paragraph (1) of this subsection shall equal the amount by which the sum of the individual's initial annual basic allowance and the

individual's annual compensation exceeds the average final compensation used to compute the basic allowance.

(II) 1. ANY REDUCTION TAKEN TO A RETIREE'S ALLOWANCE UNDER THIS SUBSECTION MAY NOT EXCEED AN AMOUNT THAT WOULD REDUCE THE RETIREE'S ALLOWANCE TO LESS THAN WHAT IS REQUIRED TO BE DEDUCTED FOR*:*

A. IF THE RETIREE RETIRED FROM ANY UNIT OF STATE GOVERNMENT*, THE RETIREE'S MONTHLY STATE–APPROVED MEDICAL INSURANCE PREMIUMS*; OR

***B. IF THE RETIREE RETIRED FROM A PARTICIPATING EMPLOYER OTHER THAN THE STATE, THE APPROVED MONTHLY MEDICAL INSURANCE PREMIUMS REQUIRED BY THE PARTICIPATING EMPLOYER THAT EMPLOYED THE RETIREE AT THE TIME OF THE RETIREE'S RETIREMENT*.**

2. IF A REDUCTION FOR A CALENDAR YEAR TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS LESS THAN THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD OF TRUSTEES SHALL RECOVER FROM THE RETIREE AN AMOUNT EQUAL TO THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH LESS THE REDUCTION TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

(3) The reduction under this subsection does not apply to:

(i) an individual who has been retired for 9 years, beginning on January 1, after the date the individual retires;

(ii) an individual whose average final compensation was less than $25,000 and who is reemployed on a permanent, temporary, or contractual basis;

(iii) an individual who is serving in an elected position as an official of a participating governmental unit or as a constitutional officer for a county that is a participating governmental unit; or

(iv) a retiree of the Correctional Officers' Retirement System who is reemployed on a contractual basis for not more than 4 years by the Division of Corrections, the Division of Pretrial Detention and Services, or the Patuxent Institution in the Department of Public Safety and Correctional Services as a correctional officer in a correctional facility defined in § 1–101 of the Correctional Services Article.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

24–405.

(a) Except as provided in § 24–405.1 of this subtitle and subject to subsections (b), (c), and (d) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a temporary or contractual basis, if:

(1) the employment is not in a regularly allocated position; and

(2) the individual immediately notifies the Board of Trustees:

(i) of the individual's intention to accept the employment; and

(ii) of the compensation that the individual will receive.

(b) (1) The Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (a) of this section if:

(i) the individual's current employer is any unit of State government; and

(ii) the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government.

(2) **(I) [**The**]** **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE** reduction under paragraph (1) of this subsection shall equal the amount by which the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance.

(II) 1. ANY REDUCTION TAKEN TO A RETIREE'S ALLOWANCE UNDER THIS SUBSECTION MAY NOT EXCEED AN AMOUNT THAT WOULD REDUCE THE RETIREE'S ALLOWANCE TO LESS THAN WHAT IS REQUIRED TO BE DEDUCTED FOR THE RETIREE'S MONTHLY STATE–APPROVED MEDICAL INSURANCE PREMIUMS.

2. IF A REDUCTION FOR A CALENDAR YEAR TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS LESS THAN THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE

BOARD OF TRUSTEES SHALL RECOVER FROM THE RETIREE AN AMOUNT EQUAL TO THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH LESS THE REDUCTION TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

(3) The reduction under paragraph (1) of this subsection does not apply to:

(i) an individual who has been retired for 9 years, beginning on January 1, after the date the individual retires;

(ii) an individual who participates in the Deferred Retirement Option Program established under § 24–401.1 of this subtitle; or

(iii) a retiree of the State Police Retirement System who is reemployed by the Department of State Police on a contractual basis as a police employee, as defined in § 2–101 of the Public Safety Article, at a rank of trooper first class.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

24–405.

(a) Except as provided in § 24–405.1 of this subtitle and subject to subsections (b) and (c) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a temporary basis, if:

(1) the employment is not in a regularly allocated position; and

(2) the individual immediately notifies the Board of Trustees:

(i) of the individual's intention to accept the employment; and

(ii) of the compensation that the individual will receive.

(b) (1) This subsection does not apply to:

(i) an individual who has been retired for 9 years, beginning on January 1, after the date the individual retires; or

(ii) an individual who participates in the Deferred Retirement Option Program established under § 24–401.1 of this subtitle.

(2) **(I)** **[**The**]** **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE** Board of Trustees shall reduce an individual's allowance by the amount that the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance.

(II) 1. ANY REDUCTION TAKEN TO A RETIREE'S ALLOWANCE UNDER THIS SUBSECTION MAY NOT EXCEED AN AMOUNT THAT WOULD REDUCE THE RETIREE'S ALLOWANCE TO LESS THAN WHAT IS REQUIRED TO BE DEDUCTED FOR THE RETIREE'S MONTHLY STATE–APPROVED MEDICAL INSURANCE PREMIUMS.

2. IF A REDUCTION FOR A CALENDAR YEAR TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS LESS THAN THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD OF TRUSTEES SHALL RECOVER FROM THE RETIREE AN AMOUNT EQUAL TO THE REDUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH LESS THE REDUCTION TAKEN UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

27–406.

(d) **(1)** **[**If**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF** a retiree accepts employment as allowed by subsection (a) of this section and is subsequently awarded retirement benefits because of that employment, the Board of Trustees shall reduce the retiree's benefits under this subtitle by the amount of the retirement benefits resulting from the subsequent employment if the retiree's current employer is any unit of State government and the retiree's employer at the time of the retiree's last separation from employment with the State before the retiree commenced receiving a service retirement allowance was also a unit of State government.

(2) (I) ANY REDUCTION TAKEN TO A RETIREE'S ALLOWANCE UNDER THIS SUBSECTION MAY NOT EXCEED AN AMOUNT THAT WOULD REDUCE THE RETIREE'S ALLOWANCE TO LESS THAN WHAT IS REQUIRED TO BE DEDUCTED FOR THE RETIREE'S MONTHLY STATE–APPROVED MEDICAL INSURANCE PREMIUMS.

(II) IF A REDUCTION FOR A CALENDAR YEAR TAKEN UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS LESS THAN THE REDUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF

TRUSTEES SHALL RECOVER FROM THE RETIREE AN AMOUNT EQUAL TO THE REDUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION LESS THE REDUCTION TAKEN UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of the termination provision specified in Chapter 644, § 3 of the Acts of the General Assembly of 2009. If that termination provision takes effect, Section 2 of this Act shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect on the taking effect of the termination provision specified in Chapter 688, § 2 of the Acts of the General Assembly of 2010. This Act may not be interpreted to have any effect on that termination provision.

SECTION 7. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 5 and 6 of this Act, this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 463 – *Carroll County – Public Facilities Bonds.*

This bill authorizes and empowers the County Commissioners of Carroll County, from time to time, to borrow not more than $16,000,000 in order to finance the construction, improvement, or development of specified public facilities in Carroll County, and to affect such borrowing by the issuance and sale at public or private sale of its general obligation bonds.

House Bill 280, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 463.

Sincerely,

Governor

Senate Bill 463

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than $16,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as used herein, the term "County" means the body politic and corporate of the State of Maryland known as the County Commissioners of Carroll County, and the term "construction, improvement, or development of public facilities" means the acquisition, alteration, construction, reconstruction, enlargement, equipping, expansion, extension, improvement, rehabilitation, renovation, upgrading, and repair of public buildings and facilities and public works projects, including, but not limited to, public works projects such as roads, bridges and storm drains, public school buildings and facilities, landfills, Carroll Community College buildings and facilities, public operational buildings and facilities such as buildings and facilities for County administrative use, public safety, health and social services, libraries, refuse disposal buildings and facilities, water and sewer infrastructure facilities, easements or similar or related rights in land that restrict the use of agricultural land or woodland to maintain the character of the land as agricultural land or woodland, and

parks and recreation buildings and facilities, together with the costs of acquiring land or interests in land as well as any related architectural, financial, legal, planning, or engineering services.

SECTION 2. AND BE IT FURTHER ENACTED, That the County is hereby authorized to finance any part or all of the costs of the construction, improvements or development of public facilities described in Section 1 of this Act, to make loans to each and every volunteer fire department in the County upon such terms and conditions as may be determined by the County for the purpose of financing certain fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments, and to borrow money and incur indebtedness for those purposes, at one time or from time to time, in an amount not exceeding, in the aggregate, $16,000,000 and to evidence such borrowing by the issuance and sale upon its full faith and credit of general obligation bonds in like par amount, which may be issued at one time or from time to time, in one or more groups or series, as the County may determine.

SECTION 3. AND BE IT FURTHER ENACTED, That the bonds shall be issued in accordance with a resolution of the County, which shall describe generally the construction, improvement, or development of public facilities, including water and sewer projects, the fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County for which the proceeds of the bond sale are intended and the amount needed for those purposes. The County shall have and is hereby granted full and complete authority and discretion in the resolution to fix and determine with respect to the bonds of any issue: the designation, date of issue, denomination or denominations, form or forms, and tenor of the bonds which, without limitation, may be issued in registered form within the meaning of Section 30 of Article 31 of the Annotated Code of Maryland, as amended; the rate or rates of interest payable thereon, or the method of determining the same, which may include a variable rate; the date or dates and amount or amounts of maturity, which need not be in equal par amounts or in consecutive annual installments, provided only that no bond of any issue shall mature later than 30 years from the date of its issue; the manner of selling the bonds, which may be at either public or private sale, for such price or prices as may be determined to be for the best interests of Carroll County; the manner of executing and sealing the bonds, which may be by facsimile; the terms and conditions of any loans made to volunteer fire departments; the terms and conditions, if any, under which bonds may be tendered for payment or purchase prior to their stated maturity; the terms or conditions, if any, under which bonds may or shall be redeemed prior to their stated maturity; the place or places of payment of the principal of and the interest on the bonds, which may be at any bank or trust company within or without the State of Maryland; covenants relating to compliance with applicable requirements of federal income tax law, including (without limitation) covenants regarding the payment of rebate or penalties in lieu of rebate; covenants relating to compliance with applicable requirements of federal or state securities laws; and generally all matters incident to the terms, conditions, issuance, sale, and delivery thereof.

The bonds may be made redeemable before maturity, at the option of the County, at such price or prices and under such terms and conditions as may be fixed by the County prior to the issuance of the bonds, either in the resolution or in subsequent resolutions. The bonds may be issued in registered form, and provision may be made for the registration of the principal only. In case any officer whose signature appears on any bond ceases to be such officer before the delivery thereof, such signature shall nevertheless be valid and sufficient for all purposes as if the officer had remained in office until such delivery. The bonds and the issuance and sale thereof shall be exempt from the provisions of Sections 9, 10, and 11 of Article 31 of the Annotated Code of Maryland, as amended.

The borrowing authorized by this Act may also be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring easements or similar or related rights in land that restrict the use of agricultural land or woodland to maintain the character of the land as agricultural or woodland. The form of installment purchase obligations, the manner of accomplishing the acquisition of easements, which may be the direct exchange of installment purchase obligations for easement, and all matters incident to the execution and delivery of the installment purchase obligations and acquisition of the easements by the County shall be determined in the resolution. Except where the provisions of this Act would be inapplicable to installment purchase obligations, the term "bonds" used in this Act shall include installment purchase obligations and matters pertaining to the bonds under this Act, such as the security for the payment of the bonds, the exemption of the bonds from State, County, municipal, or other taxation, and authorization to issue refunding bonds and the limitation on the aggregate principal amount of bonds authorized for issuance, shall be applicable to installment purchase obligations.

The County may enter into agreements with agents, banks, fiduciaries, insurers, or others for the purpose of enhancing the marketability of any security for the bonds and for the purpose of securing any tender option that may be granted to holders of the bonds, all as may be determined and presented in the aforesaid resolution, which may (but need not) state as security for the performance by the County of any monetary obligations under such agreements the same security given by the County to bondholders for the performance by the County of its monetary obligations under the bonds.

If the County determines in the resolution to offer any of the bonds by solicitation of competitive bids at public sale, the resolution shall fix the terms and conditions of the public sale and shall adopt a form of notice of sale, which shall outline the terms and conditions, and a form of advertisement, which shall be published in one or more daily or weekly newspapers having a general circulation in the County and which may also be published in one or more journals having a circulation primarily among banks and investment bankers. At least one publication of the advertisement shall be made not less than 10 days before the sale of the bonds.

Upon delivery of any bonds to the purchaser or purchasers, payment therefor shall be made to the Comptroller of Carroll County or such other official of Carroll County as may be designated to receive such payment in a resolution passed by the County before such delivery.

SECTION 4. AND BE IT FURTHER ENACTED, That the net proceeds of the sale of bonds shall be used and applied exclusively and solely for the acquisition, construction, improvement, or development of public facilities, including water and sewer projects, to make loans to volunteer fire departments for the financing of fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County for which the bonds are sold. If the amounts borrowed shall prove inadequate to finance the projects described in the resolution, the County may issue additional bonds with the limitations hereof for the purpose of evidencing the borrowing of additional funds for such financing, provided the resolution authorizing the sale of additional bonds shall so recite, but if the net proceeds of the sale of any issue of bonds exceed the amount needed to finance the projects described in the resolution, the excess funds so borrowed and not expended shall be applied to the payment of the next principal maturity of the bonds or to the redemption of any part of the bonds which have been made redeemable or to the purchase and cancellation of bonds, unless the County shall adopt a resolution allocating the excess funds to the acquisition, construction, improvement, or development of other public facilities, including water and sewer projects, or to the making of loans for fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County, as defined and within the limits set forth in this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That the bonds hereby authorized shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest on the bonds as and when they become payable. In each and every fiscal year that any of the bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all the assessable property within the corporate limits of the County in rate and amount sufficient to provide for or assure the payment, when due, of the principal of and interest on all the bonds maturing in each such fiscal year and, in the event the proceeds from the taxes so levied in any such fiscal year shall prove inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up any such deficiency. The County may apply to the payment of the principal of and interest on any bonds issued hereunder any funds received by it as loan repayments from volunteer fire departments and any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, if such funds are granted for the purpose of assisting the County in financing the acquisition, construction, improvement, or development of the public facilities defined in this Act, including the water and sewer projects or the making of loans for the aforementioned fire or emergency–related equipment, buildings, or other facilities for volunteer fire departments in the County and, to the extent of any such funds received or receivable in any fiscal year, the taxes that are required to be levied may be reduced accordingly.

SECTION 6. AND BE IT FURTHER ENACTED, That the County is further authorized and empowered, at any time and from time to time, to issue its bonds in the manner herein above described for the purpose of refunding, by payment at maturity or upon purchase or redemption, any bonds issued hereunder. The validity of any such refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the obligations so refunded. The powers herein granted with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds. Such refunding bonds may be issued by the County for the purpose of providing it with funds to pay any of its outstanding bonds issued hereunder at maturity, for the purpose of providing it with funds to purchase in the open market any of its outstanding bonds issued hereunder, prior to the maturity thereof, or for the purpose of providing it with funds for the redemption prior to maturity of any outstanding bonds issued hereunder which are, by their terms, redeemable, for the purpose of providing it with funds to pay interest on any outstanding bonds issued hereunder prior to their payment at maturity of purchase or redemption in advance of maturity, or for the purpose of providing it with funds to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds issued hereunder. The proceeds of the sale of any such refunding bonds shall be segregated and set apart by the County as a separate trust fund to be used solely for the purpose of paying the purchase or redemption prices of the bonds to be refunded.

SECTION 7. AND BE IT FURTHER ENACTED, That the County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for such delivery, provided, however, that any such interim certificates or temporary bonds shall be issued in all respects subject to the restrictions and requirements set forth in this Act. The County may, by appropriate resolution, provide for the replacement of any bonds issued hereunder which shall have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.

SECTION 8. AND BE IT FURTHER ENACTED, That any and all obligations issued pursuant to the authority of this Act, their transfer, the interest payable thereon, and any income derived therefrom in the hands of the holders thereof from time to time (including any profit made in the sale thereof) shall be and are hereby declared to be at all times exempt from State, County, municipal, or other taxation of every kind and nature whatsoever within the State of Maryland. Nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes.

SECTION 9. AND BE IT FURTHER ENACTED, That the authority to borrow money and issue bonds conferred on the County by this Act shall be deemed to provide an additional and alternative authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all Acts of the General Assembly of Maryland heretofore passed authorizing the County to borrow money are hereby continued to the extent that the powers contained in such Acts have

not been exercised, and nothing contained in this Act may be construed to impair, in any way, the validity of any bonds that may have been issued by the County under the authority of any said Acts, and the validity of the bonds is hereby ratified, confirmed, and approved. This Act, being necessary for the welfare of the inhabitants of Carroll County, shall be liberally construed to effect the purposes hereof. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 467 – *Carroll County – Alcoholic Beverages – Liquor Tasting*.

This bill creates a liquor tasting license in Carroll County and authorizes the Board of License Commissioners for Carroll County to issue the liquor tasting license only to holders of Class A beer, wine and liquor licenses. This bill also specifies that the liquor tasting license authorizes consumption of specified liquor for tasting or sampling purposes only and requires that the liquor be provided to consumers at no charge. It also specifies limitations on the quantity of liquor that may be consumed.

House Bill 279, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 467.

Sincerely,

Governor

Senate Bill 467

AN ACT concerning

Carroll County – Alcoholic Beverages – Liquor Tasting

FOR the purpose of creating a liquor tasting license in Carroll County; authorizing the Board of License Commissioners for Carroll County to issue the liquor tasting license only to holders of a certain alcoholic beverages license; specifying that the liquor tasting license authorizes consumption of certain liquor for tasting or sampling purposes only; requiring that the liquor be provided to consumers at no charge; specifying certain limitations on the quantity of liquor that may be consumed; providing an annual fee; specifying the term of a liquor tasting license; authorizing the Board to adopt regulations; defining a certain term; and generally relating to alcoholic beverages in Carroll County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–9A–01 to be under the new subtitle "Subtitle 9A. Liquor Tasting Licenses"
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

SUBTITLE 9A. LIQUOR TASTING LICENSES.

8–9A–01.

(A) THIS SECTION APPLIES ONLY IN CARROLL COUNTY.

(B) IN THIS SECTION, "BOARD" MEANS THE BOARD OF LICENSE COMMISSIONERS FOR CARROLL COUNTY.

(C) THE BOARD MAY APPROVE THE ISSUANCE OF A LIQUOR TASTING LICENSE.

(D) THE LIQUOR TASTING LICENSE MAY BE ISSUED ONLY TO HOLDERS OF A CLASS A BEER, WINE AND LIQUOR LICENSE.

(E) (1) THE LIQUOR TASTING LICENSE AUTHORIZES THE CONSUMPTION OF LIQUOR AUTHORIZED TO BE SOLD BY THE BEER, WINE AND LIQUOR LICENSE HOLDER FOR TASTING OR SAMPLING PURPOSES ONLY.

(2) TO HOLD A LIQUOR TASTING, A HOLDER OF A LIQUOR TASTING LICENSE SHALL PROVIDE LIQUOR TO CONSUMERS AT NO CHARGE.

(F) A PERSON MAY CONSUME LIQUOR AT A LIQUOR TASTING IN A QUANTITY NOT EXCEEDING:

(1) ONE–HALF OUNCE FROM A SINGLE SAMPLE OF LIQUOR; AND

(2) FIVE SAMPLES IN A SINGLE DAY.

(G) THE ANNUAL FEE FOR THE LIQUOR TASTING LICENSE IS $100.

(H) A LIQUOR TASTING LICENSE IS VALID FOR NOT MORE THAN 52 DAYS A YEAR AND MAY BE USED ON CONSECUTIVE OR NONCONSECUTIVE DAYS.

(I) THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 469 – *Carroll County – Fortune Telling Ban – Repeal.*

This bill repeals a provision that prohibits a person from demanding or accepting payment or gratuity to forecast or foretell, or pretend to forecast or foretell, the future of another person in Carroll County. This bill also repeals a penalty.

House Bill 900, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 469.

Sincerely,

Governor

Senate Bill 469

AN ACT concerning

Carroll County – Fortune Telling Ban – Repeal

FOR the purpose of repealing a provision that prohibits a person from demanding or accepting payment or gratuity to forecast or foretell, or pretend to forecast or foretell, the future of another person by certain methods in Carroll County; repealing a certain penalty; and generally relating to the repeal of the ban on fortune telling in Carroll County.

BY repealing
The Public Local Laws of Carroll County
Section 4–103
Article 7 – Public Local Laws of Maryland
(2004 Edition and July 1, 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 7 – Carroll County

[4–103.

(a) In Carroll County, a person may not demand or accept payment or a gratuity to forecast or foretell, or pretend to forecast or foretell, the future of another person by:

(1) Reading a card;

(2) Reading the palm of a hand; or

(3) Any other scheme, practice, or device.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment in the Carroll County Detention Center not exceeding 6 months or a fine not exceeding $100 or both.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 472 – *Carroll County – Commissioners – Term Limits and Vacancies.*

This bill states that the term of a County Commissioner on the Board of County Commissioners for Carroll County is 4 years and provides for the appointment to fill a vacancy. The bill also prohibits a County Commissioner from being elected to serve more than two consecutive terms.

House Bill 477, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 472.

Sincerely,

Governor

Senate Bill 472

AN ACT concerning

Carroll County – Commissioners – Term Limits and Vacancies

FOR the purpose of stating that the term of office for a County Commissioner on the Board of County Commissioners for Carroll County is a certain number of years; establishing a certain restriction on the number of terms that a County Commissioner for Carroll County may be elected to serve in office; providing for the appointment to fill a vacancy on the Board of County Commissioners; and generally relating to the Board of County Commissioners for Carroll County.

BY adding to
The Public Local Laws of Carroll County
Section 3–101(f)
Article 7 – Public Local Laws of Maryland
(2004 Edition and July 1, 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 7 – Carroll County

3–101.

(F) (1) THE TERM OF A COUNTY COMMISSIONER IS 4 YEARS.

(2) A COUNTY COMMISSIONER MAY NOT BE ELECTED TO SERVE MORE THAN TWO CONSECUTIVE TERMS.

(3) AN INDIVIDUAL WHO IS APPOINTED TO FILL A VACANCY ON THE BOARD OF COUNTY COMMISSIONERS AFTER A TERM HAS BEGUN SHALL:

(I) AT THE TIME OF APPOINTMENT AND WHILE FILLING OUT THE UNEXPIRED TERM, RESIDE IN THE COMMISSIONER DISTRICT AS THAT OF THE COMMISSIONER WHOSE SEAT IS VACATED; AND

(II) SERVE ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 535 – *Carroll County – Abatement of Nuisances.*

This bill alters from 10 to 15 the number of days' advance notice the County Commissioners of Carroll County must give to an owner or occupant of property before removing a specified nuisance or menace and also authorizes a property owner or occupant to file an appeal of a specified determination that a nuisance or menace

exists to a specified hearing officer or board of appeals within 10 business days after receiving notice of the determination under specified circumstances.

House Bill 826, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 535.

Sincerely,

Governor

Senate Bill 535

AN ACT concerning

Carroll County – Abatement of Nuisances

FOR the purpose of altering the number of days' advance notice the County Commissioners of Carroll County must give to an owner or occupant of property before removing a certain nuisance or menace; authorizing a property owner or occupant to file an appeal of a certain determination that a nuisance or menace exists to a certain hearing officer or board of appeals within a certain time after receiving notice of the determination under certain circumstances; requiring a hearing officer or board of appeals to hold a certain hearing and issue a certain written decision on the determination of the existence of a nuisance or menace within a certain period of time after receiving an appeal; providing that a decision of a hearing officer or board of appeals that a nuisance or menace to public health or safety exists for certain reasons is final and binding; altering a provision that limits the removal of weeds on certain property to the removal of weeds on land that is within a certain number of feet from the boundary with residential property and that is used for certain purposes; defining certain terms; making conforming changes; and generally relating to the abatement of nuisances in Carroll County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3–106
Article 7 – Public Local Laws of Maryland
(2004 Edition and July 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 7 – Carroll County

3–106.

(a) **(1)** In this section**[**,**]** **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) (I) "BONA FIDE AGRICULTURAL PURPOSE" MEANS THE USE OF LAND FOR ACTIVE AGRICULTURAL PRODUCTION.

(II) "BONA FIDE AGRICULTURAL PURPOSE" INCLUDES THE USE OF LAND FOR:

1. ACTIVE PLOWING, TILLAGE, CROPPING, SEEDING, CULTIVATING, OR HARVESTING OF FOOD, FIBER PRODUCTS, OR SIMILAR PRODUCTS;

2. GROWING SOD PRODUCTS, CHRISTMAS TREES, OR OTHER NURSERY PRODUCTS;

3. ACTIVE GRAZING OR RAISING OF LIVESTOCK;

4. AQUACULTURE;

5. BEE PRODUCTION; AND

6. ORCHARDS.

(3) "Notice" means delivering to the owner or occupant of property a written order to abate.

(4) "RESIDENTIAL PROPERTY" MEANS ANY LOT OR PARCEL OCCUPIED BY A DWELLING WHERE THE DWELLING AREA OR CURTILAGE IS WITHIN 500 FEET OF THE BOUNDING PROPERTY LINE.

(b) (1) The County Commissioners may remove any nuisance or menace to the public health or safety arising from the growth of weeds, the accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material after **[**10**] 15** days' advance notice to the owner or occupant of the property upon which the nuisance or menace is found.

(2) **[**The**] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, THE** growth of weeds may not constitute a nuisance or menace if **[**the**]:**

(I) THE land on which the weeds are growing is being used for a bona fide agricultural purpose**;** or **[**if the**]**

(II) THE land is owned by the County and is specifically designated as a natural regeneration project area.

(3) (i) Notice may be given by personal service or by mail.

(ii) If the written order is delivered by mail, notice is effective at the end of the known fifth day after its deposit in the mail to the last known address of the owner or occupant of the property concerned.

(4) If both the owner and occupant of property on which a nuisance or menace is found have been notified of a violation of this subsection more than two times within a 12–month period:

(i) The continuing growth of weeds, accumulation of refuse, presence of stagnant water, or presence of combustible material shall be considered an ongoing violation; and

(ii) **[**Additional**] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, ADDITIONAL** notice is not required before the County may take action to abate the nuisance.

(5) (I) WITHIN 10 BUSINESS DAYS AFTER RECEIVING NOTICE OF A DETERMINATION THAT A NUISANCE OR MENACE EXISTS, THE PROPERTY OWNER OR OCCUPANT MAY FILE AN APPEAL OF THE NUISANCE OR MENACE DETERMINATION TO A HEARING OFFICER OR BOARD OF APPEALS APPOINTED BY THE COUNTY COMMISSIONERS.

(II) WITHIN 5 DAYS AFTER RECEIVING THE APPEAL, THE HEARING OFFICER OR BOARD OF APPEALS SHALL HOLD A HEARING AND ISSUE A WRITTEN DECISION THAT AFFIRMS, MODIFIES, OR OVERTURNS THE DETERMINATION OF THE EXISTENCE OF A NUISANCE OR MENACE.

(III) THE DECISION OF THE HEARING OFFICER OR BOARD OF APPEALS REGARDING THE DETERMINATION OF THE EXISTENCE OF A NUISANCE OR MENACE SHALL BE FINAL AND BINDING.

(c) If the County Commissioners remove any nuisance or menace to the public health or safety as described in subsection (b), the reasonable costs of the removal shall be assessed against the property as a special tax.

(d) A property owner aggrieved by the assessment of a special tax against his property, as provided in this section, may petition the County Commissioners for relief. Upon the receipt of a petition, the County Commissioners shall conduct a hearing within 30 days of the receipt to determine the propriety and reasonableness of the assessment. At the hearing, the burden shall be upon the petitioner to show good

cause why the assessment should not be made. The assessment shall be added to the annual tax bill against the property to be collected in the same manner as ordinary taxes are collected and subject to the same interest and penalty for nonpayment, as provided by law for the nonpayment of county taxes. The special tax shall constitute a lien against the property from the date of assessment until paid.

(e) For properties **[**larger than 1 acre**]** **USED FOR BONA FIDE AGRICULTURAL PURPOSES**, removal of weeds, as contemplated by this section, shall be limited to the removal of any weeds **[**within**]** **ON LAND THAT IS:**

(1) WITHIN 50 feet of the nearest property lines bounding **[**the**]** **A RESIDENTIAL** property **[**on which the weeds are found to constitute a nuisance or menace to the public health or safety**]; AND**

(2) (I) USED FOR A BUFFER, A FENCE LINE, OR FALLOW GROUND; OR

(II) NOT PART OF AN AREA USED FOR ACTIVE AGRICULTURAL PRODUCTION.

(f) The determination by the County Health Officer that a nuisance or menace to the public health or safety exists by reason of the growth of weeds, accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material shall **[**be final and**]** constitute prima facie proof that the nuisance or menace exists. It shall be the duty of the County Health Officer to investigate all complaints of a nuisance or menace to the public health or safety, as described in this section.

(g) If for any reason the County Health Officer refuses or fails to investigate a complaint of nuisance due to the growth of weeds, the County may investigate the complaint and may, on a determination that the vegetation is lawn or weeds and is at or exceeds a height of 12 inches, determine the growth to be weeds which constitute a nuisance under the provisions of this section.

(h) Lands that are enrolled in a State or Federal program that removes the land from crop production for a specified period of time and that has caused the lands to be established and maintained in plant cover to conserve soil, improve wildlife habitat, or serve other public benefit purposes may not be determined to have on them the growth of weeds for purposes of this section. The responsibility for undesirable plant control of these lands shall be that of the State or Federal agency administering the applicable program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 541 – *Dorchester County Liquor Act of 2011*.

This bill repeals an obsolete residency requirement for voters supporting an application for an alcoholic beverages license in Dorchester County and specifies that a prohibition against alcoholic beverages sales at a bar or counter on Sunday does not apply in the county. This bill also repeals obsolete language concerning Sunday alcoholic beverages sales.

House Bill 973, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 541.

Sincerely,

Governor

Senate Bill 541

AN ACT concerning

Dorchester County Liquor Act of 2011

FOR the purpose of repealing a certain obsolete residency requirement for voters supporting an application for an alcoholic beverages license in Dorchester County; specifying that a certain prohibition against alcoholic beverages sales at a bar or counter on Sunday does not apply in the county; repealing certain obsolete language concerning Sunday sales; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 10–103(b)(18)(i) and (iv), 10–104(a), and 11–403(a)(1) and (b)(1) and (2)(xi)

Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 10–104(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 11–403(a)(11)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–403(b)(2)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

10–103.

(b) Except as otherwise provided in this subtitle, every new application for a license shall be made to the Board of License Commissioners on forms prescribed by the Comptroller and sworn to by the applicant. Every application for a license shall contain the following:

(18) (i) A certificate signed by at least ten citizens who are owners of real estate and registered voters of the precinct in which the business is to be conducted, stating the length of time each has been acquainted with the applicant, or in the case of a corporation with the individuals making the application; that they have examined the application of the applicant and that they have good reason to believe that all the statements contained in this application are true, and that they are of the opinion that the applicant is a suitable person to obtain the license. The certificate must have a statement that the signers of it are familiar with the premises upon which the proposed business is to be conducted, and that they believe the premises are suitable for the conduct of the business of a retail dealer in alcoholic beverages.

(iv) This certificate is not necessary for applications filed in Dorchester County, Prince George's County, Montgomery County and Anne Arundel County.

10–104.

(a) The following requirements for application for county licenses shall be applicable in these counties, as additional requirements except where inconsistent with those listed elsewhere in this subtitle:

[(k) In Dorchester County every voter, who signs the certificate supporting the application for license, shall have resided in the voting precinct in which the applicant proposes to do business, for three hundred and sixty–five consecutive days immediately prior to the date of the filing of such application, and the signature of any person who does not meet the requirements of this section, shall be null and void.**]**

11–403.

(a) (1) A retail dealer holding a Class B or C license may not sell any alcoholic beverage at a bar or counter on Sunday.

(11) THE PROHIBITION SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IN DORCHESTER COUNTY.

(b) (1) In the jurisdictions in which this subsection is applicable, it is unlawful for anyone to sell or for any licensed dealer to deliver, give away or otherwise dispose of any alcoholic beverages on Sunday. Any person selling or any licensed dealer delivering, giving away or otherwise disposing of such beverages in such jurisdictions on Sundays is guilty of a misdemeanor and shall be fined not more than $50 for the first offense and not more than $100, or imprisoned in the county jail for not more than 30 days, or both for each succeeding offense.

(2) (i) This subsection is applicable to Caroline, Cecil, **[**Dorchester, except as provided in subparagraph (xi) of this paragraph,**]** Garrett, except as provided in paragraph (5) of this subsection, Harford, Kent, Queen Anne's, except as provided in subparagraph (v) of this paragraph, Somerset, Talbot, and Worcester (except as otherwise provided) counties.

(xi) For Dorchester County the provisions are subordinate to § 11–510 of this title.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 542 – *Housing Authorities – Consolidation or Merger – Talbot County and St. Michaels*.

This bill authorizes the Housing Commission of Talbot County and the St. Michaels Housing Authority to unite by consolidation or merger to form one authority and requires the unification of the Housing Commission of Talbot County and the St. Michaels Housing Authority to be initiated by the passage of a proposal of unification by the legislative body of the Town of Easton and the legislative body of the Town of St. Michaels. This bill requires the appointment of a specified commission to draft proposed articles of organization for a proposed authority.

House Bill 228, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 542.

Sincerely,

Governor

Senate Bill 542

AN ACT concerning

Housing Authorities – Consolidation or Merger – Talbot County and St. Michaels

FOR the purpose of authorizing the Housing Commission of Talbot County and the St. Michaels Housing Authority to unite by consolidation or merger to form one authority under certain circumstances; requiring the unification of the Housing Commission of Talbot County and the St. Michaels Housing Authority to be initiated by the passage of a certain proposal of unification by the legislative body of certain municipal corporations; requiring the appointment of a certain commission to draft proposed articles of organization for a proposed authority under certain circumstances; imposing certain duties on a certain commission;

providing that the legislative body of each municipal corporation must adopt or reject certain articles of organization as a whole; prohibiting the articles of organization from being amended or changed except under certain circumstances; requiring a certain custodian of records to file certain articles of organization with the Secretary of State under certain circumstances; requiring the Secretary of State to issue a certificate of approval for certain articles of organization under certain circumstances; prohibiting an authority created under this Act from doing business or exercising its powers unless a certain certificate has been issued; defining certain terms; and generally relating to the consolidation or merger of the Housing Commission of Talbot County and the St. Michaels Housing Authority.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 12–105, 12–201, and 12–204(a)
Annotated Code of Maryland
(2006 Volume and 2010 Supplement)

BY adding to
Article – Housing and Community Development
Section 12–208
Annotated Code of Maryland
(2006 Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Housing and Community Development

12–105.

(a) An authority of a municipal corporation or Baltimore City may:

(1) operate within its territorial boundaries; and

(2) without regard to location:

(i) administer rent subsidy payments and housing assistance programs for both eligible landlords and tenants;

(ii) own or manage housing projects in operation before January 1, 1990; and

(iii) develop, own, or operate a housing project at the request of and within the territorial boundaries of another political subdivision.

(b) (1) Anywhere in its county an authority of a county may:

(i) administer rent subsidy payments and housing assistance programs for both eligible landlords and tenants; and

(ii) own or manage housing projects in operation before:

1. January 1, 1990, if the authority is of Baltimore City; or

2. January 1, 1991, if the authority is of another county.

(2) Subject to paragraph (3) of this subsection, an authority of a county may conduct its other operations within the county.

(3) An authority of a county other than Baltimore City may not conduct its other operations within a municipal corporation unless the governing body of the municipal corporation consents by resolution to its inclusion in the authority's area of operation.

(C) AN AUTHORITY CREATED UNDER § 12–208 OF THIS TITLE MAY CONDUCT ITS OPERATIONS IN THE AREA PRESCRIBED UNDER ITS ARTICLES OF ORGANIZATION.

12–201.

[In**] EXCEPT AS PROVIDED IN § 12–208 OF THIS SUBTITLE, IN** each political subdivision, there is a public body corporate and politic known as the "housing authority" of the political subdivision or as otherwise designated in the articles of organization.

12–204.

(a) **[**Each**] EXCEPT AS PROVIDED IN § 12–208 OF THIS SUBTITLE, EACH** pre–existing authority continues to exist.

12–208.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CONSOLIDATION" MEANS THE DISSOLUTION OF SEPARATE EXISTING AUTHORITIES AND THE SIMULTANEOUS CREATION OF A NEW AUTHORITY.

(3) "MERGER" MEANS THE ABSORPTION OF ONE EXISTING AUTHORITY BY ANOTHER EXISTING AUTHORITY IN WHICH THE ONE AUTHORITY DISSOLVES AND THE OTHER AUTHORITY CONTINUES TO EXIST.

(B) THE HOUSING COMMISSION OF TALBOT COUNTY AND THE ST. MICHAELS HOUSING AUTHORITY MAY UNITE BY CONSOLIDATION OR MERGER TO FORM ONE AUTHORITY.

(C) (1) THE UNIFICATION OF THE HOUSING COMMISSION OF TALBOT COUNTY AND THE ST. MICHAELS HOUSING AUTHORITY SHALL BE INITIATED BY THE PASSAGE OF A PROPOSAL OF UNIFICATION IN SUBSTANTIALLY THE SAME FORM BY THE LEGISLATIVE BODY OF THE TOWN OF EASTON AND THE LEGISLATIVE BODY OF THE TOWN OF ST. MICHAELS.

(2) THE PROPOSAL OF UNIFICATION SHALL:

(I) INCLUDE A DESCRIPTION OF THE BOUNDARIES OF THE AREA OF OPERATION FOR THE PROPOSED AUTHORITY; AND

(II) BE APPROVED BY EACH MUNICIPAL CORPORATION IN THE SAME MANNER PROVIDED FOR THE ADOPTION OF A RESOLUTION OR ORDINANCE IN THE CHARTER OR BYLAWS OF THE MUNICIPAL CORPORATION THAT IS CONSIDERING THE PROPOSAL OF UNIFICATION.

(D) (1) AFTER BOTH MUNICIPAL CORPORATIONS APPROVE A PROPOSAL OF UNIFICATION, EACH MUNICIPAL CORPORATION SHALL APPOINT AN EQUAL NUMBER OF REPRESENTATIVES, WHICH MAY NOT BE LESS THAN THREE NOR MORE THAN FIVE, TO A COMMISSION CHARGED WITH DRAFTING ARTICLES OF ORGANIZATION FOR THE PROPOSED AUTHORITY.

(2) THE MEMBERS OF THE COMMISSION SHALL:

(I) ADOPT RULES AND ELECT OFFICERS TO GOVERN THEIR MEETINGS AND EXPEDITE THE DRAFTING OF THE ARTICLES OF ORGANIZATION; AND

(II) COMPLETE A DRAFT OF THE ARTICLES OF ORGANIZATION NO LATER THAN 6 MONTHS AFTER THE APPROVAL OF THE PROPOSALS OF UNIFICATION.

(3) IN THE DRAFT ARTICLES OF ORGANIZATION OR IN A SEPARATE DOCUMENT, THE COMMISSION SHALL:

(I) DESCRIBE THE BOUNDARIES OF THE AREA OF OPERATION FOR THE PROPOSED AUTHORITY; AND

(II) PROVIDE FOR:

1. THE DISPOSITION OF ANY DEBTS, BONDS, AND OTHER OBLIGATIONS OF THE HOUSING COMMISSION OF TALBOT COUNTY AND ANY DEBTS, BONDS, AND OTHER OBLIGATIONS OF THE ST. MICHAELS HOUSING AUTHORITY;

2. THE TRANSFER TO THE PROPOSED AUTHORITY OF ANY PROPERTY AND OTHER ASSETS OF THE HOUSING COMMISSION OF TALBOT COUNTY AND ANY PROPERTY AND OTHER ASSETS OF THE ST. MICHAELS HOUSING AUTHORITY; AND

3. THE DESIGNATION OF THE CHIEF ELECTED OFFICIAL, CUSTODIAN OF RECORDS, AND LEGISLATIVE BODY OF WHICH MUNICIPAL CORPORATION THAT SHALL GOVERN THE OPERATIONS OF THE PROPOSED AUTHORITY.

(E) (1) THE COMMISSION CREATED UNDER SUBSECTION (D) OF THIS SECTION SHALL SUBMIT THE DRAFT ARTICLES OF ORGANIZATION TO THE LEGISLATIVE BODY OF EACH MUNICIPAL CORPORATION FOR ADOPTION OR REJECTION.

(2) THE LEGISLATIVE BODY OF EACH MUNICIPAL CORPORATION MUST ADOPT OR REJECT THE DRAFT ARTICLES OF ORGANIZATION AS A WHOLE.

(3) NO AMENDMENT OR CHANGE MAY BE MADE TO THE DRAFT ARTICLES OF ORGANIZATION UNLESS THE LEGISLATIVE BODY OF EACH MUNICIPAL CORPORATION CONCURS IN THE AMENDMENT OR CHANGE.

(4) IF THE LEGISLATIVE BODY OF EACH MUNICIPAL CORPORATION ADOPTS THE DRAFT ARTICLES OF ORGANIZATION, THE APPROPRIATE CUSTODIAN OF RECORDS SHALL FILE THE ARTICLES OF ORGANIZATION WITH THE SECRETARY OF STATE.

(F) (1) IF THE SECRETARY OF STATE FINDS THAT THE APPROPRIATE REQUIREMENTS OF §§ 12–205 AND 12–206 OF THIS SUBTITLE HAVE BEEN SATISFIED, THE SECRETARY OF STATE SHALL ENDORSE THE ARTICLES AS "APPROVED" AND ISSUE A CERTIFICATE OF APPROVAL ATTACHED TO THE ENDORSED ARTICLES OF ORGANIZATION.

(2) WHEN THE CERTIFICATE OF APPROVAL IS ISSUED, THE ARTICLES OF ORGANIZATION AS FILED ARE CONSIDERED TO HAVE BEEN ADOPTED.

(3) AN AUTHORITY CREATED UNDER THIS SECTION MAY NOT DO BUSINESS OR EXERCISE ITS POWERS UNLESS THE SECRETARY OF STATE HAS ISSUED A CERTIFICATE OF APPROVAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 580 – *Allegany County – Alcoholic Beverages – 1–Day Special License*.

This bill authorizes the Allegany County Board of License Commissioners to grant a specified 1–day special license for an entertainment event and limits the duration of the license. This bill also authorizes the Allegany County Board of County Commissioners to determine the amount of a specified fee based on a recommendation and requires license holders to exercise the privileges of the license on county–owned property.

House Bill 953, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 580.

Sincerely,

Governor

Senate Bill 580

AN ACT concerning

Allegany County – Alcoholic Beverages – ~~Music Promoter~~ 1–Day Special License

FOR the purpose of authorizing the Allegany County Board of License Commissioners to grant a certain 1–day special license for use at an entertainment event ~~held by a music promoter~~; limiting the duration of a certain license; authorizing the Allegany County Board of County Commissioners to determine the amount of a certain fee based on a certain recommendation; requiring license holders to exercise the privileges of the license on county–owned property; requiring the Board of County Commissioners to ~~donate~~ distribute a certain amount of a certain license fee to the Board of License Commissioners and donate the balance of a certain license fee to a certain nonprofit charitable organization; requiring license holders, with the approval of the Board of County Commissioners, to designate the recipient of a certain donation; requiring that application for a certain license be made not less than a certain number of days before a certain date; making this Act an emergency measure; and generally relating to the establishment of a 1–day special license in Allegany County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

7–101.

(a) (1) On approval by the board of license commissioners for that jurisdiction, if any, of a proper application, made on forms prescribed by the State Comptroller, signed and sworn to, the license issuing authority may grant the types of special licenses for the periods and at the fees specified in this section.

(2) For an application for a statewide license, the Comptroller may grant the license.

(3) In Anne Arundel County, the provisions of §§ 10–103(b) and 10–202 of this article and § 10–501 of the State Government Article do not apply to an applicant for a special Class C beer license, special Class C beer and wine license, or special Class C beer, wine and liquor license for a period not to exceed 7 consecutive days from the effective date of the license.

(h) (1) The provisions of this subsection apply only in Allegany County.

(2) The Board of License Commissioners may grant special licenses of any class, except manufacturer's and wholesaler's, which entitles their holder to exercise any of the privileges conferred by the respective classes of licenses at any bona fide entertainment held or conducted by any club, society, or association at the place described in the license, for a period not exceeding seven consecutive days from the effective date of the license, upon the payment, before the license is issued, to the Board of License Commissioners of a fee of:

(i) $20 per day for any beer or beer and light wine license; or

(ii) $50 per day, for not more than 14 consecutive days, for any beer, wine and liquor license.

(3) (i) The Board of License Commissioners may issue a special permit to holders of Class D beer and Class D beer and light wine licenses that allows the sale of beer, wine and liquor by the drink for consumption on the premises.

(ii) A holder of this special permit may continue to sell beer or beer and wine for consumption on or off the premises, but the holder may not sell liquor for consumption off the premises, or purchase or possess liquor on the premises in any size container smaller than 23 ounces or 680 milliliters.

(iii) Application for this special permit shall be made not less than 30 days prior to the day on which the permit is to take effect.

(iv) The annual fee for this special permit is $500.

(4) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A 1–DAY SPECIAL RETAIL LICENSE OF ANY CLASS THAT ENTITLES THE HOLDER TO EXERCISE ANY PRIVILEGE CONFERRED BY THAT CLASS OF LICENSE AT A BONA FIDE ENTERTAINMENT EVENT ~~HELD BY A MUSIC PROMOTER~~.

(II) THE LICENSE IS VALID FOR A PERIOD NOT EXCEEDING 5 CONSECUTIVE DAYS.

(III) THE FEE FOR THE LICENSE SHALL BE SET BY THE BOARD OF COUNTY COMMISSIONERS ON THE RECOMMENDATION OF THE BOARD OF LICENSE COMMISSIONERS.

(IV) THE LICENSE HOLDER MAY EXERCISE THE PRIVILEGES OF THE LICENSE ONLY ON COUNTY–OWNED PROPERTY.

(V) THE BOARD OF COUNTY COMMISSIONERS SHALL:

1. DISTRIBUTE $100 OF THE LICENSE FEE TO THE BOARD OF LICENSE COMMISSIONERS; AND

~~1.~~ 2. DONATE THE BALANCE OF THE LICENSE FEE TO A BONA FIDE NONPROFIT CHARITABLE ORGANIZATION THAT IS TAX EXEMPT UNDER § 501(C)(3) OR (4) OF THE UNITED STATES INTERNAL REVENUE CODE~~; AND~~

~~2. DESIGNATE THE BONA FIDE CHARITABLE ORGANIZATION TO BE THE RECIPIENT OF THE DONATION~~.

(VI) THE LICENSE HOLDER, WITH THE APPROVAL OF THE COUNTY COMMISSIONERS, SHALL DESIGNATE THE BONA FIDE CHARITABLE ORGANIZATION TO BE THE RECIPIENT OF THE DONATION UNDER SUBPARAGRAPH (V) OF THIS PARAGRAPH.

~~(VI)~~ (VII) TO QUALIFY FOR THE LICENSE, A PERSON SHALL SUBMIT AN APPLICATION NOT LESS THAN 30 DAYS BEFORE THE DAY ON WHICH THE LICENSE IS TO TAKE EFFECT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 736 – *Cecil County – Alcoholic Beverages – Licensed Establishments – Sunday Sales Hours*.

This bill alters the hours during which specified licensees in Cecil County may sell specified alcoholic beverages on Sunday and exempts specified holders of specified classes of beer, wine and liquor licenses from paying a specified license fee under specified circumstances. This bill authorizes specified licensees to conduct specified sales of specified alcoholic beverages within specified times and authorizes specified licensees to permit the use and consumption of alcoholic beverages between specified hours on specified days.

House Bill 1030, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 736.

Sincerely,

Governor

Senate Bill 736

AN ACT concerning

Cecil County – Alcoholic Beverages – Licensed Establishments – Sunday Sales Hours

FOR the purpose of altering the hours during which certain licensees in Cecil County may sell certain alcoholic beverages on Sunday; exempting certain holders of certain classes of beer, wine and liquor licenses from certain restrictions on hours of sale and from paying a certain license fee under certain circumstances; authorizing certain licensees to conduct certain sales of certain alcoholic beverages between certain hours on certain days; authorizing certain licensees to permit the use and consumption of alcoholic beverages between certain hours on certain days; making stylistic changes; and generally relating to the hours of operation for certain licensed establishments in Cecil County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–403(b)(1) and (2)(vii) and 11–508
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–403(b)(2)(i) and (ii)

Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

11–403.

(b) (1) **(I)** In the jurisdictions in which this subsection is applicable, it is unlawful for anyone to sell or for any licensed dealer to deliver, give away or otherwise dispose of any alcoholic beverages on Sunday.

(II) Any person selling or any licensed dealer delivering, giving away or otherwise disposing of such beverages in such jurisdictions on Sundays is guilty of a misdemeanor and shall be fined not more than $50 for the first offense and not more than $100, or imprisoned in the county jail for not more than 30 days, or both for each succeeding offense.

(2) (i) This subsection is applicable to Caroline, Cecil, Dorchester, except as provided in subparagraph (xi) of this paragraph, Garrett, except as provided in paragraph (5) of this subsection, Harford, Kent, Queen Anne's, except as provided in subparagraph (v) of this paragraph, Somerset, Talbot, and Worcester (except as otherwise provided) counties.

(ii) It does not apply to or affect special Class C licenses issued under the provisions of this article.

(vii) Notwithstanding the other provisions of this section and § 11–508 of this title, in Cecil County it is lawful for Class C (on–sale) (clubs) beer, beer and light wine, or beer, wine and liquor licensees to permit the use and consumption of alcoholic beverages between the hours of 8 a.m. **[**and 11 p.m.**]** on Sunday **AND 2 A.M. THE FOLLOWING DAY**, and it is lawful for all classes of alcoholic beverage license holders to sell alcoholic beverages between 12 midnight and 2 a.m. on Sundays.

11–508.

(a) (1) **(I) THIS PARAGRAPH DOES NOT APPLY TO A CLASS EF LICENSE ISSUED UNDER § 6–201 OF THIS ARTICLE.**

(II) In Cecil County, notwithstanding any other provisions of this subtitle, the hours during which sales of any alcoholic beverages may be made under any class of license issued under this article on any day, Monday through Saturday, are from 6 a.m. **[**daily**]** to 2 a.m. **[**on**]** the following day.

(III) It is unlawful for any person to sell or for any person to consume any alcoholic beverages on any premises licensed under this article between the hours of 2 a.m. and 6 a.m. on any day of the week or at any time on Sunday between 2 a.m. and 8 a.m. ~~It is lawful for Class C "on–sale" (clubs) beer, beer and light wine, or beer, wine and liquor licensees in Cecil County to permit the sale and consumption of alcoholic beverages between the hours of 8 a.m. and 11 p.m. on Sundays and as provided in § 11–402(i) of this article.~~

(2) Subject to paragraph (3) of this subsection, it is lawful for a licensee in Cecil County to sell alcoholic beverages authorized by its license on Sunday during the following hours:

(i) For a Class A**, B, BLX, OR C** license, between 8 a.m. and **[**11 p.m.**] 2 A.M. THE FOLLOWING DAY**; **AND**

(ii) ~~For a Class B license or a Class BLX beer, wine and liquor license, between 8 a.m. and 11 p.m.; and~~

~~(iii)~~ For a Class D license, between 1 p.m. and **[**10 p.m.**] 2 A.M. THE FOLLOWING DAY**.

(3) (i) Except for a holder of a Class BLX**, EF, OR C** beer, wine and liquor license, a licensee who seeks to sell alcoholic beverages within the times allowed under paragraph (2) of this subsection must first pay an additional license fee of $500.

(ii) "On–sales" may be conducted within the times allowed under paragraph (2) of this subsection **AND § 6–201 OF THIS ARTICLE** only by a licensee who is:

1. A restaurant, as defined under subsection (b) of this section; **[**or**]**

2. A holder of a Class BLX beer, wine and liquor license**;**

3. A HOLDER OF A CLASS C LICENSE; OR

4. A HOLDER OF A CLASS EF LICENSE.

(b) For the purpose of subsection (a) of this section, "restaurant" means a business establishment for the accommodation of the public:

(1) That is fully equipped with a proper and adequate dining room and with sufficient facilities for preparing and serving meals;

(2) That has been approved by the Board of License Commissioners of Cecil County; and

(3) Wherein the average annual receipts from the sale of food comprise at least 25% of the average receipts of the business.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 799 – *State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments.*

This bill precludes annual cost–of–living adjustments (COLAs) for retirees of the State Retirement and Pension System from being less than zero. In years in which COLAs would be less than zero due to a decline in the Consumer Price Index, retirees will not receive any COLA. COLAs in succeeding years are adjusted until the difference between the negative COLA that would have applied and the zero COLA is fully recovered. The bill also repeals the termination date and other provisions of Chapters 56 and 57 of 2010 that are rendered moot by this bill.

House Bill 727, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 799.

Sincerely,

Governor

Senate Bill 799

AN ACT concerning

State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments

FOR the purpose of providing that certain annual retirement allowance adjustments shall be a certain amount under certain circumstances; requiring that certain annual retirement allowances be reduced by a certain amount under certain circumstances; defining certain terms; repealing certain termination provisions; requiring the State Retirement Agency to review certain provisions of the State Personnel and Pensions Article for a certain purpose and make certain recommendations to the Joint Committee on Pensions on or before a certain date; and generally relating to annual retirement allowance adjustments for retirees of the several systems of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–401(e), 29–406, 29–407, 29–412, 29–418, and 29–427
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing
Chapter 56 of the Acts of the General Assembly of 2010
Section 4

BY repealing
Chapter 57 of the Acts of the General Assembly of 2010
Section 4

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

24–401.

(e) (1) Subject to paragraph (2) of this subsection, a retiree, or a beneficiary of a retiree, who retires on or before June 30, 1999 with a service retirement allowance, shall receive an annual retirement allowance adjustment as of July 1, 1999, as follows:

(i) for a retiree who has been retired not more than 5 years, $1,200;

(ii) for a retiree who has been retired more than 5 years but not more than 10 years, $1,500;

(iii) for a retiree who has been retired more than 10 years but not more than 15 years, $1,800; and

(iv) for a retiree who has been retired more than 15 years, $2,100.

(2) Except as provided in paragraph (3) of this subsection, each fiscal year, the Board of Trustees shall **[**increase**]** **ADJUST** the adjustment received by the retiree or the beneficiary as of July 1, 1999, by multiplying the adjustment by a fraction that has:

(i) as its numerator, the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year; and

(ii) as its denominator, the Consumer Price Index for the calendar year ending December 31, 1998.

[(3) (i) For fiscal year 2011, if the annual retirement allowance adjustment that is adjusted as provided in paragraph (2) of this subsection is less than the annual retirement allowance adjustment payable for fiscal year 2010, the annual retirement allowance adjustment payable for fiscal year 2011 shall equal the annual retirement allowance adjustment payable for fiscal year 2010.

(ii) For fiscal year 2012, the annual retirement allowance adjustment that is adjusted as provided in paragraph (2) of this subsection shall be reduced by the difference between the annual retirement allowance adjustment payable for fiscal year 2010 and the annual retirement allowance adjustment that would have been payable for fiscal year 2011 if it had been adjusted under paragraph (2) of this subsection.**]**

(3) (I) IN THIS PARAGRAPH, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION IS LESS THAN THE ALLOWANCE ADJUSTMENT PAID FOR THE PRECEDING FISCAL YEAR.

(II) FOR ANY FISCAL YEAR, THE ALLOWANCE ADJUSTMENT MAY NOT BE LESS THAN THE ALLOWANCE ADJUSTMENT PAID FOR THE PRECEDING FISCAL YEAR.

(III) 1. THIS SUBPARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

2. SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH:

A. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE ADJUSTMENT AS

PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE ADJUSTMENT PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE ADJUSTMENT THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN ADJUSTED AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

B. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCE ADJUSTMENTS PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THE ZERO–ADJUSTMENT FISCAL YEARS IF THE ALLOWANCE ADJUSTMENT FOR EACH OF THOSE FISCAL YEARS HAD BEEN ADJUSTED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

3. IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE ADJUSTMENT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION FOR THE FISCAL YEAR AND THE ALLOWANCE ADJUSTMENT PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE FISCAL YEARS, SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–406.

(a) **[**(1)**]** **[**Except as provided in paragraph (2) of this subsection and subject**]** **SUBJECT** to subsection (c) of this section, the cost–of–living adjustment made under this Part II equals the initial allowance multiplied by a fraction that has:

[(i)**]** **(1)** as its numerator, the amount obtained by subtracting the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year from the base year Consumer Price Index described in subsection (b) of this section; and

[(ii)**]** **(2)** as its denominator, the base year Consumer Price Index described in subsection (b) of this section.

[(2) If the cost–of–living adjustment determined under paragraph (1) of this subsection for fiscal year 2011 would result in an allowance payable for fiscal year

2011 that is less than the allowance payable for fiscal year 2010, the annual cost–of–living adjustment for fiscal year 2011 shall equal $0.00.**]**

(b) The base year Consumer Price Index referred to in subsection (a) of this section equals the later of:

(1) the Consumer Price Index for the calendar year ending December 31 of the fiscal year that preceded the last adjustment; or

(2) (i) for a retiree, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the retiree was last employed as a member; or

(ii) for a former member who elected a vested allowance in accordance with § 29–303 of this title, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the former member became 62 years old.

(c) The cost–of–living adjustment under this section may not exceed 3% of the initial allowance.

29–407.

(a) Except as provided in subsection (b) of this section, the total allowance payable in any fiscal year shall be the sum of:

(1) the initial allowance;

(2) all prior cost–of–living adjustments;

(3) the cost–of–living adjustment provided for under § 29–406 of this subtitle; and

(4) any additional annuity.

[(b) For fiscal year 2012, the allowance payable as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been paid for fiscal year 2011 if the cost–of–living adjustment had been calculated as provided under § 29–406(a) of this subtitle.**]**

(B) (1) IN THIS SUBSECTION, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE COST–OF–LIVING ADJUSTMENT PROVIDED IN § 29–406 OF THIS SUBTITLE IS LESS THAN $0.00.

(2) FOR ANY FISCAL YEAR, THE TOTAL ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(3) (I) THIS PARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH:

1. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION; AND

2. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION.

(III) IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–412.

(a) Except as provided in subsection (b) of this section and subject to § 29–413 of this subtitle, each fiscal year, the Board of Trustees shall adjust an initial allowance by multiplying the initial allowance by the fraction that has:

(1) as its numerator, the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year; and

(2) as its denominator:

(i) for a retiree, the beneficiary of a retiree, or the surviving spouse of a member, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the retiree or member was last employed; or

(ii) for a former member or the beneficiary of a former member, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the former member reaches normal retirement age.

[(b) For fiscal year 2011, if the allowance adjusted as provided in subsection (a) of this section is less than the allowance payable for fiscal year 2010, the allowance payable for fiscal year 2011 shall equal the allowance payable for fiscal year 2010.

(c) For fiscal year 2012, the allowance adjusted as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been payable for fiscal year 2011 if it had been adjusted under subsection (a) of this section.**]**

(B) (1) IN THIS SUBSECTION, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION RESULTS IN AN ALLOWANCE THAT IS LESS THAN THE ALLOWANCE PAYABLE FOR THE PRECEDING FISCAL YEAR.

(2) FOR ANY FISCAL YEAR, THE ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(3) (I) THIS PARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH:

1. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION; AND

2. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR

PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO PARAGRAPH (2) OF THIS SUBSECTION.

(III) IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–418.

(a) **[**(1)**]** **[**Except as provided in paragraph (2) of this subsection, each**]** **EACH** fiscal year, the Board of Trustees shall adjust an allowance by multiplying the allowance for the preceding fiscal year, exclusive of any additional voluntary annuity, by a rate not exceeding 5%, that is obtained by dividing the Consumer Price Index for the calendar year ending December 31, in the preceding fiscal year by the Consumer Price Index for the calendar year ending December 31 in the second preceding fiscal year.

[(2) If the adjustment determined under paragraph (1) of this subsection for fiscal year 2011 would result in an allowance payable for fiscal year 2011 that is less than the allowance for fiscal year 2010, the adjustment for fiscal year 2011 shall equal $0.00.**]**

(b) The adjustment under subsection (a) of this section shall begin the second July 1 after the day preceding the retiree's date of retirement or the former member's effective date for receipt of a vested allowance.

(c) (1) Except as provided in paragraph (2) of this subsection, the total allowance payable in each fiscal year shall be the sum of:

(i) the annual rate of allowance paid during the preceding fiscal year;

(ii) the adjustment in allowance provided for under this section; and

(iii) any additional annuity.

[(2) For fiscal year 2012, the allowance payable as provided in subsection (a) of this section shall be reduced by the difference between the allowance

payable for fiscal year 2010 and the allowance that would have been paid for fiscal year 2011 if the adjustment had been calculated as provided under subsection (a) of this section.]

(2) (I) IN THIS PARAGRAPH, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION RESULTS IN AN ALLOWANCE THAT IS LESS THAN THE ALLOWANCE PAYABLE FOR THE PRECEDING FISCAL YEAR.

(II) FOR ANY FISCAL YEAR, THE ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(III) 1. THIS SUBPARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

2. SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH:

A. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

B. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH.

3. IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE

DEDUCTED IN FUTURE YEARS, SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

29–427.

(a) **[**(1)**]** **[**Except as provided in paragraph (2) of this subsection, each**]** **EACH** fiscal year, the Board of Trustees shall adjust an allowance by multiplying the allowance for the preceding fiscal year, exclusive of any additional voluntary annuity, by a rate not exceeding 3%, that is obtained by dividing the Consumer Price Index for the calendar year ending December 31 in the preceding fiscal year by the Consumer Price Index for the calendar year ending December 31 in the second preceding fiscal year.

[(2) If the adjustment determined under paragraph (1) of this subsection for fiscal year 2011 would result in an allowance payable for fiscal year 2011 that is less than the allowance payable for fiscal year 2010, the adjustment for fiscal year 2011 shall equal $0.00.**]**

(b) The adjustment under subsection (a) of this section shall begin the second July 1 after the day preceding the retiree's date of retirement or the former member's effective date for receipt of a vested allowance.

(c) (1) Except as provided in paragraph (2) of this subsection, the total allowance payable in each fiscal year shall be the sum of:

(i) the annual rate of allowance paid during the preceding fiscal year;

(ii) the adjustment in allowance provided for under this section; and

(iii) any additional annuity.

[(2) For fiscal year 2012, the allowance payable as provided in subsection (a) of this section shall be reduced by the difference between the allowance payable for fiscal year 2010 and the allowance that would have been paid for fiscal year 2011 if the adjustment had been calculated as provided under subsection (a) of this section.**]**

(2) (I) IN THIS PARAGRAPH, "ZERO–ADJUSTMENT FISCAL YEAR" MEANS ANY FISCAL YEAR WHEN THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION IS LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(II) FOR ANY FISCAL YEAR, THE ALLOWANCE PAYABLE MAY NOT BE LESS THAN THE ALLOWANCE PAID FOR THE PRECEDING FISCAL YEAR.

(III) 1. THIS SUBPARAGRAPH APPLIES ONLY TO A FISCAL YEAR THAT IS NOT A ZERO–ADJUSTMENT FISCAL YEAR.

2. SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH:

A. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER A ZERO–ADJUSTMENT FISCAL YEAR, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR THE PRECEDING FISCAL YEAR IF THE ALLOWANCE FOR THAT FISCAL YEAR HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

B. FOR A FISCAL YEAR THAT FOLLOWS IMMEDIATELY AFTER 2 OR MORE CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEARS, THE ALLOWANCE PAYABLE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE TOTAL OF THE ALLOWANCES PAID IN EACH CONSECUTIVE ZERO–ADJUSTMENT FISCAL YEAR PRECEDING THE FISCAL YEAR AND THE TOTAL ALLOWANCES THAT WOULD HAVE BEEN PAYABLE FOR EACH OF THOSE FISCAL YEARS IF THE ALLOWANCE FOR EACH OF THOSE FISCAL YEARS HAD BEEN CALCULATED WITHOUT REGARD TO SUBPARAGRAPH (II) OF THIS PARAGRAPH.

3. IF THE AMOUNT OF THE REDUCTION REQUIRED FOR ANY FISCAL YEAR UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH EXCEEDS THE DIFFERENCE BETWEEN THE ALLOWANCE AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE FISCAL YEAR AND THE ALLOWANCE PAID IN THE PRECEDING FISCAL YEAR, THE EXCESS SHALL BE DEDUCTED IN FUTURE YEARS, SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNTIL THE DIFFERENCE IS FULLY RECOVERED.

Chapter 56 of the Acts of 2010

[SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall remain effective through December 31, 2014, and, at the end of December 31, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.**]**

Chapter 57 of the Acts of 2010

[SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall remain effective through December 31, 2014, and, at the end of December 31, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2011, the State Retirement Agency shall review § 24–401 and Title 29, Subtitle 4 of the State Personnel and Pensions Article for accuracy and clarity and make recommendations to the Joint Committee on Pensions to provide greater accuracy and clarity to § 24–401 and Title 29, Subtitle 4 of the State Personnel and Pensions Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 826 – *Somerset County – Water and Sewer Service – Late Fees*.

This bill authorizes the sanitary district in Somerset County to charge a late fee for unpaid water and sewer usage charges and authorizes the Sanitary Commission in Somerset County to require the payment of specified late fees before reconnecting specified water service. This bill also provides that when a specified charge is in default it will accrue interest from the date of default at a rate determined by the sanitary commission.

House Bill 678, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 826.

Sincerely,

Governor

Senate Bill 826

AN ACT concerning

~~Environment~~ Somerset County – Water and Sewer Service – Late Fees

FOR the purpose of authorizing ~~a sanitary commission~~ the sanitary district in Somerset County to charge a late fee for certain unpaid water and sewer usage charges; authorizing the Sanitary Commission in Somerset County to require the payment of certain late fees before reconnecting certain water service; providing that when a certain charge is in default it will accrue interest from a certain date and at a certain rate; and generally relating to water and sewer service charges in Somerset County.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–601(a), (d), (j), and (k)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–662
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

9–601.

(a) In this subtitle the following words have the meanings indicated.

(d) (1) "District" means an entity that is created under this subtitle.

(2) "District" includes a board, body, or commission that assumes the principal functions of a district that is created under this subtitle and later abolished.

(j) "Project" means a water system, sewerage system, solid waste disposal system, or solid waste acceptance facility or any part of these that a district owns, constructs, or operates.

(k) "Sanitary commission" means a sanitary commission created under this subtitle.

9–662.

(a) For each project that it operates, a district may charge the owners of parcels serviced by or connected to the project:

(1) A minimum charge; **[**and**]**

(2) A usage charge that is based on the use of the project by the owner of the parcel~~; AND~~

~~(3) A LATE FEE FOR ANY UNPAID USAGE CHARGE~~.

(b) The district shall use funds received from charges made under this section:

(1) To operate, maintain, and repair the project;

(2) To maintain proper depreciation allowances;

(3) To pay operation expenses of the district;

(4) To repay advances made by member counties under § 9–628 of this subtitle; and

(5) To pay the principal and interest on bonds issued under this subtitle.

(c) For water service, the sanitary commission:

(1) Shall make a minimum charge:

(i) That is based on the size of the meter serving the property and is uniform throughout the service area for each size of meter; and

(ii) That, for properties to which no meter is connected, is reasonable and uniform throughout the service area; and

(2) Subject to the meter size and uniformity requirements of this subsection, may change the minimum charge as necessary.

(d) For sewerage service, the sanitary commission shall:

(1) Make a minimum charge that is reasonable and uniform throughout the service area; and

(2) Collect, each year, the minimum charge in the same manner as the sanitary commission collects benefit assessments.

(e) If a minimum charge for sewerage service is unpaid, the minimum charge has the same status as an unpaid benefit assessment.

(f) For solid waste disposal systems, the sanitary commission shall make a minimum charge that is reasonable and uniform throughout the service area.

(g) If the sanitary commission uses a water meter, the sanitary commission shall connect the water meter at the sanitary commission's expense.

(h) For water usage, the sanitary commission shall make a charge that:

(1) Is based on meter readings; or

(2) If no water meter is connected to the property, is:

(i) Based on the estimated water usage; and

(ii) Uniform among unmetered properties in the service area.

(i) For sewerage systems and solid waste disposal systems, the sanitary commission shall make a reasonable usage charge.

(j) Except for bills for minimum charges for sewerage services, the sanitary commission:

(1) Shall send to each property owner:

(i) For water service, a bill for minimum charges and usage charges for water once each 3 or 6 months; and

(ii) For other charges, a bill once each 3, 6, or 12 months; and

(2) May stagger the frequency and dates of bills sent under this section.

(k) The property owner promptly shall pay any bill sent under this section.

(l) If a water bill is unpaid for 30 days after being sent, and after written notice is left on the premises or mailed to the last known address of the owner, the sanitary commission may:

(1) Disconnect water service to the property; and

(2) Require, before reconnecting water service, payment of the entire water bill plus ~~ANY APPLICABLE LATE FEES AND~~ a reconnection charge reasonably

related to the cost of reconnection, as established by ordinance of the governing body of the county or municipal corporation in which the water service is provided.

(m) (1) If a charge for which a bill sent under this section is in default 60 days after the bill is sent, the charge is in default.

(2) When a charge is in default, [it is] ~~THE CHARGE:~~

~~(I) SHALL ACCRUE INTEREST FROM THE DATE OF DEFAULT AT A RATE SET BY THE SANITARY COMMISSION; AND~~

~~(II)~~ ~~IS~~ a lien on the property [and the].

~~(3)~~ ~~THE~~ sanitary commission may collect [the] ~~A DEFAULTED~~ charge in the same manner as benefit assessments.

(N) IN SOMERSET COUNTY, NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW:

(1) THE DISTRICT MAY CHARGE AN OWNER OF A PARCEL SERVICED BY OR CONNECTED TO A PROJECT THAT THE DISTRICT OPERATES A LATE FEE FOR ANY UNPAID USAGE CHARGE THAT IS BASED ON THE USE OF THE PROJECT BY THE OWNER OF THE PARCEL;

(2) THE COMMISSION MAY REQUIRE, BEFORE RECONNECTING WATER SERVICE, PAYMENT OF ANY APPLICABLE LATE FEES IN addition TO ANY OTHER CHARGE AUTHORIZED BY THIS SECTION; AND

(3) A CHARGE THAT IS IN DEFAULT SHALL ACCRUE INTEREST FROM THE DATE OF DEFAULT AT A RATE SET BY THE SANITARY COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 849 – *State Government – Land Acquisitions and Transfers of Property*.

This bill requires the Department of Natural Resources to negotiate land acquisitions under specified circumstances, requires the Department to obtain two independent appraisals of a property before acquiring it and requires specified land acquisition contracts to be approved by the Board of Public Works.

House Bill 1025, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 849.

Sincerely,

Governor

Senate Bill 849

AN ACT concerning

~~Natural Resources~~ State Government – Land Acquisitions and Transfers of Property

FOR the purpose of requiring the Department of Natural Resources to negotiate land acquisitions under certain circumstances; requiring the Department to obtain a certain number of independent appraisals of a property before certain acquisitions; requiring certain land acquisition contracts to be approved and executed by the Board of Public Works; requiring the Department to give written notice of potential land acquisitions to certain governmental bodies under certain circumstances; authorizing certain governmental bodies to submit written comments to the Department in a certain timeframe; requiring the Board of Public Works to supervise certain expenditures for certain land acquisitions; authorizing the Department to dispose of certain land under certain circumstances; authorizing the Board of Public Works to exempt certain projects from certain requirements; requiring the Department to adopt certain regulations, including regulations developed in consultation with the Department of General Services; making technical corrections; requiring the Department of Natural Resources to prepare and revise a certain plan in consultation with the Department of Planning; exempting certain land acquisitions by the Department from certain land acquisition requirements; altering a certain definition to ~~include~~ exclude certain land acquisitions by the Department; exempting certain property transfers from certain appraisal requirements; authorizing the Department to submit certain property

appraisals to the Board of Public Works; and generally relating to land ~~acquisition and planning functions performed~~ acquisitions by the Department of Natural Resources and transfers of property among certain units of State government.

BY adding to
Article – Natural Resources
Section 1–109
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(e), 5–904(d), 5–906(b), and 5–1222
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–906(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 4–412, ~~5–7B–01(c)(1)~~ 5–7B–01(c), 10–304, and 10–305(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 10–305(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

1–109.

(A) (1) THE DEPARTMENT SHALL NEGOTIATE THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE, RECREATION, CONSERVATION, AND OTHER PURPOSES UNDER THIS ARTICLE.

(2) THE DEPARTMENT SHALL MAKE EACH ACQUISITION UNDER THIS SUBSECTION IN THE NAME OF THE STATE TO THE USE OF THE DEPARTMENT.

(B) EXCEPT FOR REAL PROPERTY THAT IS ACQUIRED BY GIFT, BEFORE ANY REAL PROPERTY IS ACQUIRED FROM A PRIVATE OWNER, THE DEPARTMENT SHALL OBTAIN TWO INDEPENDENT APPRAISALS OF THE PROPERTY.

(C) (1) A CONTRACT FOR THE ACQUISITION OF LAND UNDER THIS SECTION SHALL BE APPROVED AND EXECUTED BY THE BOARD OF PUBLIC WORKS.

(2) AT LEAST 40 DAYS BEFORE THE BOARD OF PUBLIC WORKS MAY ACT ON A LAND ACQUISITION UNDER THIS SECTION, THE DEPARTMENT SHALL GIVE WRITTEN NOTICE OF A POTENTIAL ACQUISITION OF LAND:

(I) TO THE GOVERNING BODY OF THE COUNTY IN WHICH THE LAND IS LOCATED; AND

(II) IF THE LAND IS LOCATED WITHIN A MUNICIPAL CORPORATION, TO THE GOVERNING BODY OF THE MUNICIPAL CORPORATION.

(3) WITHIN 30 DAYS AFTER RECEIVING NOTICE UNDER THIS SUBSECTION, THE GOVERNING BODY MAY SUBMIT WRITTEN COMMENTS TO THE DEPARTMENT.

(D) THE BOARD OF PUBLIC WORKS SHALL SUPERVISE THE EXPENDITURE OF ANY MONEY THAT THE GENERAL ASSEMBLY APPROPRIATES FOR THE ACQUISITION OF LAND UNDER THIS SECTION.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT MAY DISPOSE OF LAND OWNED AND MANAGED BY THE DEPARTMENT AS CONSIDERATION FOR THE ACQUISITION OF LAND NOT OWNED BY THE DEPARTMENT.

(2) IN IMPLEMENTING THIS SUBSECTION, THE DEPARTMENT SHALL COMPLY WITH THE PROCEDURES ESTABLISHED UNDER TITLE 5, SUBTITLE 3 AND TITLE 10, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(F) THE BOARD OF PUBLIC WORKS MAY EXEMPT PROJECTS UNDER THIS SECTION FROM THE PROVISIONS OF THIS SECTION.

(G) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A SYSTEM FOR APPRAISAL REVIEW DEVELOPED BY THE DEPARTMENT IN CONSULTATION WITH THE DEPARTMENT OF GENERAL SERVICES.

5–903.

(e) (1) The Department may, with the approval of the Board of Public Works, use acquisition funds to make matching or refundable grants to land trusts for the acquisition of interests or rights in real property for recreational or open space purposes.

(2) **[**Notwithstanding the provisions of §§ 4–411 through 4–414 of the State Finance and Procurement Article, subject**] SUBJECT** to the availability of funds and in accordance with other provisions of this article regarding open space and wildland areas, the Department may enter into agreements with a land trust for the State to acquire title to or an interest or right in property owned by the land trust or property on which the land trust holds an option or a contract to purchase.

(3) An agreement under this subsection shall be subject to approval by the Board of Public Works under **[**§ 4–415 of the State Finance and Procurement Article**] § ~~1–107(C)~~ 1–109(C) OF THIS ARTICLE**.

5–904.

(d) (1) **[**Notwithstanding § 4–412 of the State Finance and Procurement Article, the**] THE** Department and the Maryland Environmental Trust, with the approval of the Board of Public Works, may:

(i) Use State project funds under Program Open Space to contribute towards, or reimburse the Department of Transportation for, a portion of the costs of acquiring any fee titles, restrictive covenants, or conservation easements for which the Department of Transportation spends federal funds for transportation enhancements, as defined in Title 23, United States Code, §§ 101(a) and 133; and

(ii) Acquire the fee titles, restrictive covenants, or conservation easements from the Department of Transportation or any of its agents.

(2) State project funds under Program Open Space may be used to contribute toward, or reimburse the Department of Transportation for, a portion of the costs of acquiring any fee titles, as specified in paragraph (1) of this subsection, only for acquisitions that are contained in the most current consolidated transportation plan of the State.

5–906.

(a) Each local project shall conform to a comprehensive plan the local governing body approves and have the approval of official planning agencies having jurisdiction, including comprehensive planning agencies.

(b) Every acquisition and development project funded by the State in whole or in part shall meet needs identified in the Maryland Land Preservation and Recreation Plan prepared and revised every 6 years by the Department **IN CONSULTATION WITH THE DEPARTMENT** of Planning **[**in cooperation with the Department**]**. The document shall identify and recommend for State acquisition efforts those resource areas facing the most intense or immediate development pressure. These resource areas shall be designated as targeted areas. The document and any changes to it shall be distributed to every local governing body.

5–1222.

[Notwithstanding the provisions of §§ 4–411 through 4–414 of the State Finance and Procurement Article, subject**]** **SUBJECT** to the availability of funds and in accordance with other provisions of this article regarding open space and wildland areas, the Secretary may enter into agreements with the Nature Conservancy for the State to acquire title to or an interest in property owned by the Nature Conservancy or property on which the Nature Conservancy holds an option or a contract to purchase.

Article – State Finance and Procurement

4–412.

(a) Except as otherwise provided in this section, the Division exclusively shall negotiate the acquisition of land**[**:

(1)**]** for any public improvement**[**; and

(2) for any State project funded under the State share of Program Open Space**]**.

(b) The Division shall make each State acquisition in the name of:

(1) the unit of the State government; or

(2) the principal department of the State government to which the unit belongs.

(c) The Division is not responsible for acquiring land for a local project.

(d) (1) The Division is not responsible for developing any acquired land.

(2) Development of any land acquired under Program Open Space is the responsibility of the unit of the State government.

(E) THE PROVISIONS OF THIS SECTION AND §§ 4–413 THROUGH 4–416 OF THIS SUBTITLE DO NOT APPLY TO LAND ACQUIRED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER TITLE 1, SUBTITLE 1 OF THE NATURAL RESOURCES ARTICLE.

5–7B–01.

(c) (1) "Growth–related project" means only the items set forth below:

(i) any major capital project as defined in § 2–103.1(a)(4) of the Transportation Article, except existing transportation facilities projects as defined in § 4–101(i) of the Transportation Article, project planning as defined in § 8–610(i) of the Transportation Article, or initial project planning as defined in § 8–610(e) of the Transportation Article;

(ii) funding by the Department of Housing and Community Development for:

1. construction or purchase of newly constructed single family homes or purchase of loans for newly constructed single family homes under Title 4, Subtitle 2, Subtitle 3, or Subtitle 8 of the Housing and Community Development Article;

2. acquisition or construction of newly constructed multifamily rental housing under Title 4, Subtitle 2, Subtitle 4, or Subtitle 15 of the Housing and Community Development Article; or

3. State–funded neighborhood revitalization projects under Title 6 of the Housing and Community Development Article;

(iii) funding by the Department of Business and Economic Development under any of the following:

1. the Maryland Industrial Development Financing Authority, authorized under Title 5, Subtitle 4 of the Economic Development Article;

2. the Maryland Small Business Development Financing Authority, authorized under Title 5, Subtitle 5 of the Economic Development Article;

3. the former Maryland Energy Financing Act, authorized under former Article 83A, Title 6, Subtitle 4 of the Code, succeeded by the Maryland Industrial Development Financing Authority;

4. the Economic Development Opportunities Program Fund, authorized under § 7–314 of this article;

5. the former Maryland Competitive Advantage Financing Fund, authorized under former Article 83A, Title 5, Subtitle 13 of the Code; and

6. the Maryland Economic Development Assistance Authority and Fund, authorized under Title 5, Subtitle 3 of the Economic Development Article;

(iv) funding by the Department of the Environment, for any project under:

1. §§ 9–1601 through 9–1605 (Water Quality Revolving Loan Fund) of the Environment Article except for funding nonpoint source pollution projects;

2. §§ 9–420 through 9–426 (Water Supply Financial Assistance Program) of the Environment Article; and

3. the supplemental assistance program authorized under Title 9, Subtitle 3, Part VI of the Environment Article; and

(v) except as provided in paragraph (2) of this subsection, procurement or funding of projects by the Department of General Services for:

1. leases of property by the State governed by §§ 4–318 through 4–321 of this article; and

2. land acquisition governed by §§ 4–411 through 4–416 of this article~~; AND~~

~~(VI) PROCUREMENT OR FUNDING OF PROJECTS BY THE DEPARTMENT OF NATURAL RESOURCES FOR LAND ACQUISITION UNDER § 1–109 OF THE NATURAL RESOURCES ARTICLE~~.

(2) "Growth–related project" does not include:

(i) projects by the Department of General Services for maintenance, repair, additions, or renovations to existing facilities, acquisition of land for telecommunications towers, parks, conservation and open space, and acquisition of agricultural, conservation, and historic easements;

(ii) funding by the Department of Housing and Community Development for any project financed with federal moneys used to purchase or

rehabilitate existing single or multifamily housing or project financed with the proceeds of revenue bonds issued by the Community Development Administration if:

1. the Secretary of Housing and Community Development determines that application of this section:

A. conflicts with any provision of federal or State law applicable to the issuance or tax–exempt status of the bonds;

B. conflicts with any provision of any trust agreement between the Community Development Administration and any trustee; or

C. would otherwise prohibit financing of an existing project, or financing provided to cure or prevent any default under existing financing; or

2. the revenue bonds are issued under a transfer of the Maryland State ceiling to the Administration by a county under Title 13, Subtitle 8 of the Financial Institutions Article; **[**or**]**

(III) ACQUISITION OF LAND BY THE DEPARTMENT OF NATURAL RESOURCES UNDER TITLE 1, SUBTITLE 1 OF THE NATURAL RESOURCES ARTICLE; OR

[(iii)**]** **(IV)** any other project, funding, or other State assistance not listed under paragraph (1) of this subsection.

10–304.

(a) This section does not apply to:

(1) property that is pledged to secure the payment of principal of or interest on revenue bonds; or

(2) real property that is owned or controlled by the State Highway Administration**, UNLESS THE PROPERTY IS BEING TRANSFERRED TO THE MARYLAND TRANSPORTATION AUTHORITY OR TO ANOTHER UNIT IN THE DEPARTMENT OF TRANSPORTATION**.

(b) (1) The Board may transfer any property, and all rights of physical custody and control over the property, from a unit of the Executive Branch of the State government to another unit of the Executive Branch of the State government. ~~TRANSFERS~~

(2) ANY PROPERTY TRANSFERRED UNDER THIS SUBSECTION ~~ARE~~ IS EXEMPT FROM THE APPRAISAL REQUIREMENTS UNDER § 10–305(B)(2)(I) OF THIS TITLE.

~~(2)~~ **(3)** Any property transferred under this subsection is subject to the continuing general jurisdiction of the Board.

10–305.

(a) Subject to subsection (b) of this section, any real or personal property of the State or a unit of the State government may be sold, leased, transferred, exchanged, granted, or otherwise disposed of:

(1) to any person, to the United States or any of its units, or to any unit of the State government, for a consideration the Board decides is adequate; or

(2) to any county or municipal corporation in the State subject to any conditions the Board imposes.

(b) (1) (i) Except as provided under subparagraph (ii) of this paragraph, this subsection applies to the sale, transfer, grant, or exchange of:

1. real property identified under § 5–310(c)(1) of this article; and

2. State–owned real or personal property, funded in accordance with an appropriation act of the General Assembly, that has an appraised value over $100,000.

(ii) This subsection does not apply to the following dispositions of property identified in subparagraph (i) of this paragraph:

1. leasing the property; or

2. the sale, transfer, grant, or exchange of a corrective or access easement on the property.

(2) The Board may not approve the sale, transfer, exchange, or grant of property until:

(i) the Department of General Services **OR THE DEPARTMENT OF NATURAL RESOURCES UNDER TITLE 1, SUBTITLE 1 OF THE NATURAL RESOURCES ARTICLE** has submitted to the Board two independent appraisals of the property that:

1. with regard to real property, consider the value of any restrictive covenant that may be placed on the property; and

2. may not be publicly disclosed if the property is to be sold at auction;

(ii) the following information has been submitted, by electronic mail or facsimile and by certified mail, to the Senate Budget and Taxation Committee, the House Appropriations Committee, and, for property that meets both criteria of paragraph (1)(i) of this subsection, the Legislative Policy Committee:

1. a description of the property; and

2. if applicable, any justification for not selling, transferring, exchanging, or granting the property in a manner that generates the highest return for the State;

(iii) 45 days have elapsed since:

1. the information required by item (ii) of this paragraph was received by the appropriate committees; and

2. the Board declared the property surplus; and

(iv) except for property sold under paragraph (4) of this subsection, for property that meets both criteria under paragraph (1)(i) of this subsection and for which the Board intends to approve a fee simple sale, transfer, exchange, or grant, the General Assembly has approved the proposed disposition as provided under paragraph (3) of this subsection.

(3) (i) Within 45 days after receiving the information submitted under paragraph (2) of this subsection, the Legislative Policy Committee shall:

1. review the information and the public record created by the Department of Planning for the property; and

2. A. approve the proposed disposition of the surplus property and refer the property back to the Board for final disposition; or

B. refer the proposed disposition of the property to the full General Assembly and notify the Board of the referral.

(ii) If the Legislative Policy Committee fails to take any action under subparagraph (i)2 of this paragraph within the specified time period, the proposed disposition shall be deemed approved by the Committee.

(iii) 1. If the proposed disposition of the surplus property is referred by the Legislative Policy Committee to the full General Assembly, the proposed disposition may not be approved by the Board unless it is approved by the passage of legislation during the next legislative session of the General Assembly.

2. In any legislation passed in accordance with subsubparagraph 1 of this subparagraph, the General Assembly may approve the proposed disposition with or without conditions.

(4) If the Board has declared the property surplus, the Board shall sell the property to the federal government, a local government, or a unit of federal or local government for $1.00, if:

(i) the government or unit has indicated its interest in acquiring the land; and

(ii) a restrictive covenant is placed on the deed of transfer, in accordance with § 5–906(e)(7) and (8) of the Natural Resources Article, that requires the property to be maintained in a use that is consistent with its use at the time of transfer.

(5) Any revenues derived from the sale, transfer, exchange, or grant of property identified under paragraph (1)(i)1 of this subsection shall be deposited in the Advance Option and Purchase Fund under § 5–904(b) of the Natural Resources Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 876 – *Baltimore County – Miscellaneous Business Licenses – Fees*.

This bill alters license fees that applicants in Baltimore County are required to pay for keeping a billiard table for commercial use, for doing construction business, for keeping a motor vehicle storage garage business, for doing the business of laundry or dry cleaning, for doing business as a plumber or gas fitter, for operating a restaurant, for doing business as a trader, and for operating a chain store.

House Bill 1242, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 876.

Sincerely,

Governor

Senate Bill 876

AN ACT concerning

Baltimore County – Miscellaneous Business Licenses – Fees

FOR the purpose of ~~authorizing the County Executive and County Council of Baltimore County to establish~~ altering certain license fees that applicants are required to pay ~~for acting as a cigarette retailer, for selling cigarettes at retail,~~ for keeping a billiard table for commercial use, for doing certain construction business, for keeping a garage where motor vehicles are stored for a fee, for doing the business of cleaning or laundering, for doing business as a plumber or gas fitter, for operating a restaurant, for doing business as a trader, and for operating a chain store; and generally relating to business license fees in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section ~~16–204(b)(1), 16–302,~~ 17–504, 17–603, 17–803, 17–1103, 17–1504, 17–1604, 17–1808(a), and 17–1809(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

~~16–204.~~

~~(b) (1) An applicant for a license to act as a retailer shall:~~

~~(i) obtain the county license required under § 16–301 of this title;~~

~~(ii) submit to the clerk an application for each permanent or temporary place of business located in the same enclosure and operated by the same applicant; and~~

~~(iii) **1. EXCEPT IN BALTIMORE COUNTY,** pay to the clerk a fee of $30**; AND**~~

~~**2. IN BALTIMORE COUNTY, PAY TO THE CLERK THE FEE ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.**~~

~~16–302.~~

~~For each county license, an applicant shall:~~

~~(1) submit an application to the clerk; and~~

~~(2) pay to the clerk a license fee of:~~

~~(i) $25 in a county other than Cecil County **OR BALTIMORE COUNTY; [**or**]**~~

~~(ii) $50 in Cecil County**; OR**~~

~~**(III) IN BALTIMORE COUNTY, THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.**~~

17–504.

An applicant for a billiard table license shall pay to the clerk a license fee of:

(1) $10 for each billiard table in a county other than Baltimore City**, BALTIMORE COUNTY,** or Cecil County;

(2) $20 for each billiard table in Cecil County; ~~**[**or**]**~~

(3) $40 for each billiard table in Baltimore City~~**; OR**~~

~~**(4) THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR EACH BILLIARD TABLE IN BALTIMORE COUNTY**~~.

17–603.

(a) An applicant for a construction license shall pay to the clerk a license fee of:

(1) $15 for a construction license in a county other than Baltimore City**, BALTIMORE COUNTY,** or Cecil County;

(2) $40 for a construction license in Baltimore City **OR BALTIMORE COUNTY**; **[**or**]**

(3) $30 for a construction license in Cecil County~~; OR~~

~~(4) THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR A CONSTRUCTION LICENSE IN BALTIMORE COUNTY~~.

(b) (1) Except as provided in paragraph (2) of this subsection, an applicant for a nonresident construction license shall pay to the clerk:

(i) a license fee of:

1. $50 for a nonresident construction license in a county other than Baltimore City **OR BALTIMORE COUNTY**; **[**or**]**

2. $60 for a nonresident construction license in Baltimore City **OR BALTIMORE COUNTY**; **[**and**]** ~~OR~~

~~3. THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR A NONRESIDENT CONSTRUCTION LICENSE IN BALTIMORE COUNTY; AND~~

(ii) for each contract for which the applicant is required to get an additional nonresident construction license, an additional license fee of:

1. $50, if the contract will be performed in a county other than Baltimore City **OR BALTIMORE COUNTY**; **[**or**]**

2. $60, if the contract will be performed in Baltimore City **OR BALTIMORE COUNTY**~~; OR~~

~~3. THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY, IF THE CONTRACT WILL BE PERFORMED IN BALTIMORE COUNTY~~.

(2) An applicant for a nonresident construction license who is incorporated or has its principal office in another state shall pay to the clerk the total fees imposed in that state on a similar nonresident business if the total fees are higher than the total license fees under this section.

17–803.

(a) (1) An applicant for a garage license shall pay to the clerk a license fee based on the floor area of each garage.

(2) In a county other than Baltimore City **OR BALTIMORE COUNTY**, the license fee is:

(i) $20 for a garage with not more than 2,000 square feet;

(ii) $40 for a garage with more than 2,000 and not more than 3,000 square feet;

(iii) $75 for a garage with more than 3,000 and not more than 5,000 square feet;

(iv) $125 for a garage with more than 5,000 and not more than 7,500 square feet;

(v) $200 for a garage with more than 7,500 and not more than 10,000 square feet; or

(vi) $200 for a garage with more than 10,000 square feet plus $50 for each additional 5,000 square feet or part of 5,000 square feet.

(3) In Baltimore City **OR BALTIMORE COUNTY**, the license fee is $6 for each 100 square feet of each garage.

~~**(4) IN BALTIMORE COUNTY, THE LICENSE FEE IS THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY BASED, SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON THE FLOOR AREA OF EACH GARAGE.**~~

(b) The floor area on which the license fee is based is the total floor area of all floors of the garage, excluding:

(1) the space occupied by a machine shop that is defined by permanent partitions; and

(2) the floor area of a space 15 feet wide and extending the entire length or depth of the garage on each floor on which a law requires that a space be kept open.

17–1103.

(a) An applicant for a license shall pay to the clerk the applicable license fee.

(b) In a county other than Baltimore City **OR BALTIMORE COUNTY**, the license fee is:

(1) $15 for a business that employs not more than 10 individuals;

(2) $50 for a business that employs 11 to 20 individuals; and

(3) $100 for a business that employs more than 20 individuals.

(c) In Baltimore City **OR BALTIMORE COUNTY**, the license fee is:

(1) $40 for a business that employs not more than 10 individuals;

(2) $125 for a business that employs 11 to 20 individuals; and

(3) $250 for a business that employs more than 20 individuals.

~~**(D) IN BALTIMORE COUNTY, THE LICENSE FEE IS THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.**~~

17–1504.

(a) Except as otherwise provided in subsection (b) or (c) of this section, an applicant for a plumber's license shall pay to the clerk a license fee of:

(1) $5 for each place of business in a municipal corporation with a population of less than 5,000;

(2) $10 for each place of business in a municipal corporation with a population of 5,000 to 9,999;

(3) $15 for each place of business in a municipal corporation with a population of 10,000 or more; or

(4) $40 for each place of business in Baltimore City **OR BALTIMORE COUNTY**.

(b) ~~(1)~~ In Cecil County, an applicant for a plumber's license shall pay to the clerk a license fee of $30.

~~(2) IN BALTIMORE COUNTY, AN APPLICANT FOR A PLUMBER'S LICENSE SHALL PAY TO THE CLERK THE LICENSE FEE ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.~~

(c) An applicant for a plumber's license who is incorporated or has its principal office in another state shall pay to the clerk the fee imposed in that state on a similar nonresident business if that fee is higher than the appropriate license fee under this section.

17–1604.

An applicant for a restaurant license shall pay to the clerk a license fee of:

(1) $50 for each place of business in Baltimore City**, BALTIMORE COUNTY,** or Cecil County;

(2) $25 for each place of business in a municipal corporation with a population of 8,000 or more in any other county; ~~[or]~~

(3) $10 for each place of business elsewhere in the State ~~EXCEPT IN BALTIMORE COUNTY; OR~~

~~(4) THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR EACH PLACE OF BUSINESS IN BALTIMORE COUNTY~~.

17–1808.

(a) (1) Except as otherwise provided in this section, an applicant for a trader's license shall pay to the clerk a license fee based on the value of the applicant's stock–in–trade.

(2) In a county other than Baltimore City **OR BALTIMORE COUNTY**, the license fee is:

(i) $15, if the value of the applicant's stock–in–trade is not more than $1,000;

(ii) $18, if the value is more than $1,000 but not more than $1,500;

(iii) $20, if the value is more than $1,500 but not more than $2,500;

(iv) $25, if the value is more than $2,500 but not more than $4,000;

(v) $30, if the value is more than $4,000 but not more than $6,000;

(vi) $40, if the value is more than $6,000 but not more than $8,000;

(vii) $50, if the value is more than $8,000 but not more than $10,000;

(viii) $65, if the value is more than $10,000 but not more than $15,000;

(ix) $80, if the value is more than $15,000 but not more than $20,000;

(x) $100, if the value is more than $20,000 but not more than $30,000;

(xi) $125, if the value is more than $30,000 but not more than $40,000;

(xii) $150, if the value is more than $40,000 but not more than $50,000;

(xiii) $200, if the value is more than $50,000 but not more than $75,000;

(xiv) $250, if the value is more than $75,000 but not more than $100,000;

(xv) $300, if the value is more than $100,000 but not more than $150,000;

(xvi) $350, if the value is more than $150,000 but not more than $200,000;

(xvii) $400, if the value is more than $200,000 but not more than $300,000;

(xviii) $500, if the value is more than $300,000 but not more than $400,000;

(xix) $600, if the value is more than $400,000 but not more than $500,000;

(xx) $750, if the value is more than $500,000 but not more than $750,000; or

(xxi) $800, if the value is more than $750,000.

(3) In Baltimore City, the license fee is:

(i) $20, if the value of the applicant's stock–in–trade is not more than $1,000;

(ii) $40, if the value is more than $1,000 but not more than $5,000;

(iii) $80, if the value is more than $5,000 but not more than $10,000;

(iv) $160, if the value is more than $10,000 but not more than $50,000;

(v) $375, if the value is more than $50,000 but not more than $100,000;

(vi) $1,000, if the value is more than $100,000 but not more than $300,000;

(vii) $1,500, if the value is more than $300,000 but not more than $750,000; or

(viii) $2,125, if the value is more than $750,000.

(4) IN BALTIMORE COUNTY, THE LICENSE FEE IS ~~THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL OF BALTIMORE COUNTY~~:

(I) $20, IF THE VALUE OF THE APPLICANT'S STOCK–IN–TRADE IS NOT MORE THAN $1,000;

(II) $40, IF THE VALUE IS MORE THAN $1,000 BUT NOT MORE THAN $5,000;

(III) $80, IF THE VALUE IS MORE THAN $5,000 BUT NOT MORE THAN $10,000;

(IV) $160, IF THE VALUE IS MORE THAN $10,000 BUT NOT MORE THAN $50,000;

(V) $375, IF THE VALUE IS MORE THAN $50,000 BUT NOT MORE THAN $100,000;

(VI) $450, IF THE VALUE IS MORE THAN $100,000 BUT NOT MORE THAN $200,000;

(VII) $500, IF THE VALUE IS MORE THAN $200,000 BUT NOT MORE THAN $300,000;

(VIII) $775, IF THE VALUE IS MORE THAN $300,000 BUT NOT MORE THAN $400,000;

(IX) $1,000, IF THE VALUE IS MORE THAN $400,000 BUT NOT MORE THAN $500,000;

(X) $1,250, IF THE VALUE IS MORE THAN $500,000 BUT NOT MORE THAN $750,000; AND

(XI) $1,600, IF THE VALUE IS MORE THAN $750,000.

17–1809.

(b) (1) An applicant for a chain store license shall pay to the clerk a license fee based on the value of the applicant's stock–in–trade under § 17–1808 of this subtitle and an additional license fee.

(2) In a county other than Baltimore City**, BALTIMORE COUNTY,** or Cecil County, the additional license fee is:

(i) $5 for each store for 2 to 5 stores;

(ii) $20 for each store for 6 to 10 stores;

(iii) $100 for each store for 11 to 20 stores; or

(iv) $150 for each store for more than 20 stores.

(3) In Baltimore City **OR BALTIMORE COUNTY**, the additional license fee is:

(i) $12 for each store for 2 to 5 stores;

(ii) $50 for each store for 6 to 10 stores;

(iii) $250 for each store for 11 to 20 stores; or

(iv) $375 for each store for more than 20 stores.

(4) In Cecil County, the additional license fee is:

(i) $10 for each store for 2 to 5 stores;

(ii) $30 for each store for 6 to 10 stores;

(iii) $100 for each store for 11 to 20 stores; and

(iv) $300 for each store for more than 20 stores.

~~**(5) IN BALTIMORE COUNTY, THE ADDITIONAL LICENSE FEE IS THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 882 – *Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed*.

This bill specifies that, for specified weeks of unemployment, a State "on" indicator for extended unemployment benefits exists under specified circumstances and specifies that a State "off" indicator exists for specified extended unemployment benefits under specified circumstances. This bill also prohibits specified extended benefits from being payable for any week of unemployment beginning before a specified date and

establishes the Extended Benefits Fund, in which the purpose of the Fund will be stated along with the intent of the General Assembly.

House Bill 1228, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 882.

Sincerely,

Governor

Senate Bill 882

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

FOR the purpose of specifying that, for certain weeks of unemployment, a State "on" indicator exists for extended unemployment benefits under certain circumstances; specifying that a State "off" indicator exists for certain extended unemployment benefits under certain circumstances; prohibiting certain extended unemployment benefits from being payable for any week of unemployment beginning before a certain date; specifying the total amount of certain extended unemployment benefits that are payable to an eligible individual; authorizing the Secretary of Labor, Licensing, and Regulation, if authorized by federal law, to suspend the payment of certain extended unemployment benefits under certain circumstances; requiring that certain federal unemployment law provisions and definitions apply to certain provisions of State law under certain circumstances; establishing the Extended Benefits Fund; stating the purpose of the Fund; stating the intent of the General Assembly; requiring the Secretary to adopt certain regulations; defining a certain term; stating the intent that the Governor shall appropriate a certain amount of money for the Fund for a certain fiscal year; providing for the reimbursement of counties, municipalities, and certain associations for certain total net costs relating to unemployment benefits; providing that unused funds remaining in the Fund are to revert to the General Fund; requiring the Secretary to notify the Department of Legislative Services when the condition for the termination of this Act is met; providing for the application of this Act; providing for the termination of this Act; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–1103 and 8–1105
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY adding to
Article – Labor and Employment
Section 8–1109 ~~and 8–1110~~, 8–1110, and 8–1111
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

Preamble

WHEREAS, Maryland law authorizes up to 13 weeks of extended benefits for eligible unemployed individuals who have exhausted all other forms of benefits; and

WHEREAS, With limited exceptions, the cost of most extended benefits is shared equally between the State and the federal government; and

WHEREAS, The State extended benefits program is triggered "on" by certain rates of insured unemployment; and

WHEREAS, Despite the recent economic downturn, the rate of insured unemployment in Maryland has not reached the statutory level necessary to trigger the extended benefits program "on"; and

WHEREAS, The federal government has temporarily authorized 100% federal funding of the shareable costs of extended benefits paid to individuals separated from insured employment; and

WHEREAS, To offer extended benefits, which would benefit Maryland's long–term unemployed and which would be largely 100% federally funded, Maryland must adopt alternative triggers for the extended benefits program; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Labor and Employment

8–1103.

(a) An extended benefit period is a period that:

(1) begins with the 3rd week after the 1st week for which there is a State "on" indicator but not earlier than the 14th week after the end of another extended benefit period; and

(2) ends with the later of:

(i) the 3rd week after the 1st week for which there is a State "off" indicator; or

(ii) the 13th consecutive week of the period.

(b) (1) A State "on" indicator for a week exists whenever, for that week and the 12 immediately preceding weeks, the rate of insured unemployment, not seasonally adjusted, is at least:

(i) 5%; and

(ii) 120% of the average of the rates for the corresponding 13–week period ending in each of the 2 preceding calendar years.

(2) After a State "on" indicator occurs under this subsection, a State "off" indicator for a week exists whenever, for that week and the 12 immediately preceding weeks, the rate of insured unemployment, not seasonally adjusted, is less than:

(i) 5%; or

(ii) 120% of the average of the rates for the corresponding 13–week period ending in each of the 2 preceding calendar years.

(c) (1) A State "on" indicator exists for a week whenever, for that week and the 12 immediately preceding weeks, the rate of insured unemployment, not seasonally adjusted, is at least 6%.

(2) After a State "on" indicator occurs under this subsection, a State "off" indicator exists for a week whenever, for that week and the 12 immediately preceding weeks, the rate of insured unemployment, not seasonally adjusted, was less than 6%.

(d) A State "on" indicator under subsection (b) or (c) of this section takes precedence over a State "off" indicator under subsection **[**(c) or (b)**] (B) OR (C)** of this section, respectively.

(e) (1) To compute the rate of insured unemployment under subsections (b) and (c) of this section, the Secretary shall:

(i) determine the average weekly number of individuals submitting claims for regular benefits in the State for weeks of unemployment during the most recent 13 consecutive weeks based on reports of the Secretary to the United States Secretary of Labor; and

(ii) divide that number by the average monthly number of employees engaged in covered employment for the 1st 4 of the 6 completed calendar quarters ending immediately before the 13 weeks.

(2) The Secretary shall make each computation under this subsection in accordance with regulations of the United States Secretary of Labor.

(F) (1) THIS SUBSECTION APPLIES TO WEEKS OF UNEMPLOYMENT BEGINNING AFTER JANUARY 2, 2010, AND ENDING 4 WEEKS PRIOR TO THE LAST WEEK FOR WHICH 100% FEDERAL SHARING FUNDING IS AVAILABLE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 WITHOUT REGARD TO THE PHASEOUT OF FEDERAL SHARING FOR CLAIMS AS PROVIDED IN THAT LAW.

(2) A STATE "ON" INDICATOR FOR A WEEK EXISTS IF:

(I) THE AVERAGE RATE OF TOTAL UNEMPLOYMENT, SEASONALLY ADJUSTED, AS DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR THE PERIOD CONSISTING OF THE MOST RECENT 3 MONTHS FOR WHICH DATA FOR ALL STATES ARE PUBLISHED BEFORE THE CLOSE OF THAT WEEK IS AT LEAST 6.5%; AND

(II) 1. THE AVERAGE RATE OF TOTAL UNEMPLOYMENT IN THE STATE, SEASONALLY ADJUSTED, AS DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR THE 3–MONTH PERIOD REFERRED TO IN ITEM (I) OF THIS PARAGRAPH IS AT LEAST 110% OF THAT AVERAGE FOR EITHER OR BOTH OF THE CORRESPONDING 3–MONTH PERIODS ENDING IN EITHER OR BOTH OF THE 2 PRECEDING CALENDAR YEARS; OR

2. WITH RESPECT TO WEEKS OF UNEMPLOYMENT BEGINNING AFTER JANUARY 1, 2011, AND ENDING ON DECEMBER 31, 2011, OR THE EXPIRATION DATE IN SECTION 502 OF THE TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010, WHICHEVER IS LATER, THE AVERAGE RATE OF TOTAL UNEMPLOYMENT IN THE STATE, SEASONALLY ADJUSTED, AS DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR THE 3–MONTH PERIOD DESCRIBED IN ITEM (I) OF THIS PARAGRAPH, IS AT LEAST 110% OF THAT AVERAGE FOR ANY OR ALL OF THE CORRESPONDING 3–MONTH PERIODS ENDING IN THE 3 PRECEDING CALENDAR YEARS.

(3) AFTER A STATE "ON" INDICATOR OCCURS UNDER PARAGRAPH (2) OF THIS SUBSECTION, A STATE "OFF" INDICATOR FOR A WEEK EXISTS WHENEVER, FOR THAT WEEK AND THE 12 IMMEDIATELY PRECEDING WEEKS, NONE OF THE OPTIONS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION RESULTS IN AN "ON" INDICATOR.

(G) EXTENDED BENEFITS MAY NOT BE PAYABLE BASED ON A STATE "ON" TRIGGER UNDER SUBSECTION (F) OF THIS SECTION FOR ANY WEEK OF UNEMPLOYMENT BEGINNING BEFORE OCTOBER 1, 2011.

[(f)**] (H)** The Secretary shall make an appropriate public announcement whenever an "on" indicator exists that begins or an "off" indicator exists that ends an extended benefit period.

8–1105.

(a) **[**The**] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, THE** weekly amount of extended benefits payable for a week of total unemployment during an individual's eligibility period is equal to the amount of regular benefits, including allowances for dependents, payable to the individual for a week of total unemployment during the applicable benefit year.

(b) The total amount of extended benefits payable to an eligible individual for the applicable benefit year of the individual may not be less than the lesser of:

(1) 50% of the total amount of regular benefits, including allowances for dependents, payable to the individual during that benefit year;

(2) 13 times the average weekly benefit amount of the individual; or

(3) 39 times the average weekly benefit amount of the individual, reduced by the amount of regular benefits paid or deemed paid to the individual during that benefit year.

(c) If the benefit year of an individual ends during an extended benefit period, the balance of extended benefits to which the individual is entitled for weeks of unemployment beginning after the benefit year shall be reduced, but not below zero, by an amount computed by:

(1) determining the number of weeks for which the individual received any amounts as trade readjustment allowances under the federal Trade Act of 1974 within that benefit year; and

(2) multiplying the number determined under item (1) of this subsection by the weekly amount of extended benefits of the individual.

(d) An individual who otherwise is eligible to receive benefits may not be denied regular benefits or extended benefits for any week because the individual:

(1) is in a training program that the United States Secretary of Labor approves under 19 U.S.C. § 2296(a)(1); or

(2) leaves work that is not suitable to enter a training program that the United States Secretary of Labor approves under 19 U.S.C. § 2296(a)(1) because:

(i) the work was not of substantially equal or a higher skill level than the past adversely affected employment of the individual as defined under 19 U.S.C. § 2296(f); and

(ii) the wages for the work were less than 80% of the average weekly wage of the individual as determined under 19 U.S.C. § 2296(e).

(E) (1) IN THIS SUBSECTION, "HIGH UNEMPLOYMENT PERIOD" MEANS ANY PERIOD DURING WHICH:

(I) AN EXTENDED BENEFIT PERIOD WOULD BE IN EFFECT UNDER § 8–1103(F) OF THIS SUBTITLE; AND

(II) THE AVERAGE RATE OF TOTAL UNEMPLOYMENT, SEASONALLY ADJUSTED, AS DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR THE PERIOD CONSISTING OF THE MOST RECENT 3 MONTHS FOR WHICH DATA FOR ALL STATES ARE PUBLISHED BEFORE THE CLOSE OF THAT WEEK IS AT LEAST 8%.

(2) THIS SUBSECTION APPLIES TO WEEKS OF UNEMPLOYMENT IN A HIGH UNEMPLOYMENT PERIOD.

(3) THE TOTAL AMOUNT OF EXTENDED BENEFITS PAYABLE TO AN ELIGIBLE INDIVIDUAL FOR THE APPLICABLE BENEFIT YEAR MAY NOT BE LESS THAN THE LESSER OF:

(I) 80% OF THE TOTAL AMOUNT OF REGULAR BENEFITS, INCLUDING ALLOWANCES FOR DEPENDENTS, PAYABLE TO THE INDIVIDUAL DURING THE BENEFIT YEAR;

(II) 20 TIMES THE AVERAGE WEEKLY BENEFIT AMOUNT OF THE INDIVIDUAL, REDUCED BY THE AMOUNT OF REGULAR BENEFITS PAID OR DEEMED PAID TO THE INDIVIDUAL DURING THE BENEFIT YEAR; OR

(III) 46 TIMES THE AVERAGE WEEKLY EXTENDED BENEFIT AMOUNT, REDUCED BY THE REGULAR BENEFITS (NOT INCLUDING DEPENDENTS' ALLOWANCES) PAID TO THE INDIVIDUAL DURING THAT BENEFIT YEAR.

8–1109.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, THE SECRETARY, IF AUTHORIZED BY FEDERAL LAW, MAY SUSPEND THE PAYMENT OF EXTENDED BENEFITS UNDER § 8–1105(E) OF THIS SUBTITLE, TO THE EXTENT NECESSARY TO ENSURE THAT:

(1) OTHERWISE ELIGIBLE INDIVIDUALS ARE NOT DENIED, IN WHOLE OR IN PART, THE RECEIPT OF EMERGENCY UNEMPLOYMENT COMPENSATION AUTHORIZED BY THE FEDERAL SUPPLEMENTAL APPROPRIATIONS ACT OF 2008, THE UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2008, THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, OR THE TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010; AND

(2) THE STATE RECEIVES MAXIMUM REIMBURSEMENT FROM THE FEDERAL GOVERNMENT FOR THE PAYMENT OF THE EMERGENCY BENEFITS.

8–1110.

TO THE EXTENT THAT PROVISIONS AND DEFINITIONS OF FEDERAL UNEMPLOYMENT LAW ARE IN CONFLICT WITH, OR SUPPLEMENT THE PROVISIONS AND DEFINITIONS IN THIS SUBTITLE, THE PROVISIONS AND DEFINITIONS OF FEDERAL UNEMPLOYMENT LAW SHALL APPLY.

8–1111.

(A) IN THIS SECTION, "NET COSTS" MEANS BENEFITS PAYABLE UNDER THIS SUBTITLE AND THAT ARE REIMBURSED DOLLAR FOR DOLLAR TO THE UNEMPLOYMENT INSURANCE FUND ESTABLISHED UNDER § 8–401 OF THIS TITLE LESS ESTIMATED TAX REVENUE PAYABLE IN CONNECTION WITH THE BENEFITS PAYABLE UNDER THIS SUBTITLE.

(B) (1) THERE IS AN EXTENDED BENEFITS FUND IN THE STATE TREASURY.

(2) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) THE FUND MAY BE USED ONLY TO REIMBURSE NET COSTS FOR CLAIMS FILED UNDER § 8–1103(F) OF THIS TITLE.

(4) (I) THE PURPOSE OF THE FUND IS TO REIMBURSE COUNTIES AND MUNICIPAL CORPORATIONS FOR NET COSTS, AS DETERMINED BY THE SECRETARY.

(II) THE FUND MAY BE USED TO REIMBURSE AN ASSOCIATION THAT IS VOLUNTARY, NONPROFIT, AND CONTROLLED AND MAINTAINED BY MUNICIPAL CORPORATIONS FOR NET COSTS, AS DETERMINED BY THE SECRETARY.

(5) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE SECRETARY SHALL ADMINISTER THE FUND.

(6) THE TREASURER SHALL INVEST AND REINVEST THE FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(C) THE FUND SHALL CONSIST OF:

~~(I)~~ **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

~~(II)~~ **(2) INVESTMENT EARNINGS OF THE FUND; AND**

~~(III)~~ **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.**

(D) THE SECRETARY SHALL ENSURE THAT THE MONEY IN THE FUND IS DISTRIBUTED IN THE MANNER THAT BEST ACCOMPLISHES THE PURPOSE OF THE FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act, with regard to the payment of unemployment insurance benefits under § 8–1105(e) of the Labor and Employment Article, as enacted by Section 1 of this Act, shall be construed to apply prospectively and shall be applicable for weeks of unemployment beginning on or after October 2, 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the Governor shall appropriate $1,635,000 in the fiscal 2013 budget for the Extended Benefits Fund created under § 8–1111 of the Labor and Employment Article, as enacted by Section 1 of this Act;

(2) as determined by the Secretary of Labor, Licensing, and Regulation, on or before 30 days after the last day a claimant may file for extended benefits for which 100% federal sharing is available for any claim under the federal Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, the counties and municipal corporations that have net costs are eligible for reimbursement for net costs from the Extended Benefits Fund, as enacted by Section 1 of this Act;

(3) based on the total net costs determined by the Secretary under paragraph (2) of this section:

(i) eligible counties shall be reimbursed by the Extended Benefits Fund, as enacted by Section 1 of this Act, at a minimum of 60% of their net costs; and

(ii) eligible municipal corporations and municipal government associations shall be reimbursed by the Extended Benefits Fund, as enacted by Section 1 of this Act, at a minimum of 80% of their net costs;

(4) (i) if the total net costs determined by the Secretary under paragraph (2) of this section exceed $1,635,000, the Secretary shall reimburse eligible counties, municipal corporations, and municipal government associations from the Extended Benefits Fund, as enacted by Section 1 of this Act, an amount that is proportional to the percentage reimbursements specified under paragraph (3) of this section; and

(ii) if the total net costs determined by the Secretary under paragraph (2) of this section is less than $1,635,000, the Secretary shall increase the reimbursement to eligible counties, municipal corporations, and municipal government associations from the Extended Benefits Fund, as enacted by Section 1 of this Act, in an amount that is proportional to the percentage reimbursements specified under paragraph (3) of this section, up to a maximum of 100% of net costs claims, until the Fund is depleted; and

(5) after eligible counties, municipal corporations, and municipal government associations have been reimbursed up to the maximum allowable under this section, any unused funds remaining in the Extended Benefits Fund shall revert to the General Fund.

SECTION 4. AND BE IT FURTHER ENACTED, That the Secretary of Labor, Licensing, and Regulation shall adopt regulations that establish procedures for the reimbursement of net costs from the Extended Benefits Fund, as enacted by Section 1 of this Act.

SECTION ~~3.~~ 5. AND BE IT FURTHER ENACTED, That the Secretary of Labor, Licensing, and Regulation shall notify the Department of Legislative Services when the condition for the termination of this Act, as specified in Section ~~4~~ 6 of this Act, is met.

SECTION ~~4.~~ 6. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011, and shall remain effective until the week ending 4 weeks prior to the last week of unemployment for which 100% federal sharing is available for any claim under Section 2005(a) of the American Recovery and Reinvestment Act or any subsequently enacted federal law, whichever is later, and thereafter shall be abrogated with no further action required by the General Assembly and be of no further force and effect.

May 19, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 905 – *Worcester County – Berlin – Alcoholic Beverages – Micro–Brewery License*.

This bill allows a holder of a Class D beer license in the Town of Berlin in Worcester County to be issued a Class 7 micro–brewery license by the Comptroller under specified circumstances.

House Bill 1334, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 905.

Sincerely,

Governor

Senate Bill 905

AN ACT concerning

Worcester County – Berlin – Alcoholic Beverages – Micro–Brewery License

FOR the purpose of allowing a holder of a Class D beer license in the Town of Berlin in Worcester County to be issued a Class 7 micro–brewery license by the Comptroller under certain circumstances; specifying the hours for certain consumer sales; making a stylistic change; and generally relating to micro–breweries in Worcester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

2–208.

(a) There is a Class 7 micro–brewery (on– and off–sale) license.

(b) The license shall be issued:

(1) By the State Comptroller;

(2) Only in the following jurisdictions:

(i) Allegany County;

(ii) Baltimore City;

(iii) Baltimore County;

(iv) The City of Annapolis;

(v) Anne Arundel County;

(vi) Calvert County;

(vii) Carroll County;

(viii) Charles County;

(ix) Dorchester County;

(x) Frederick County;

(xi) Garrett County;

(xii) Harford County;

(xiii) Howard County;

(xiv) Montgomery County;

(xv) Prince George's County;

(xvi) Talbot County;

(xvii) Wicomico County; and

(xviii) Worcester County;

(3) (i) Only to a holder of a Class B beer, wine and liquor (on–sale) license that is issued for use on the premises of a restaurant located in a jurisdiction listed in paragraph (2) of this subsection; **[**or**]**

(II) TO A HOLDER OF A CLASS D BEER (OFF–SALE) LICENSE THAT IS ISSUED FOR USE ON THE PREMISES OF THE EXISTING CLASS D LICENSE IF THE PREMISES ARE LOCATED IN THE TOWN OF BERLIN IN WORCESTER COUNTY; OR

[(ii)**] (III)** To a holder of a Class D alcoholic beverages license that is issued for use on the premises of the existing Class D license if the premises are located in the 22nd Alcoholic Beverages District of Prince George's County; and

(4) In addition to item (3) of this subsection, in Montgomery County only to a holder of a Class H beer and light wine license that is issued for use on the premises of a restaurant located in the County.

(c) (1) A holder of a Class 7 micro–brewery license:

(i) May brew and bottle malt beverages at the license location;

(ii) May obtain a Class 2 rectifying license for a premises located within 1 mile of the existing Class 7 micro–brewery location to bottle malt beverages brewed at the micro–brewery location only;

(iii) May contract with the holder of a Class 5 brewery license, a Class 7 micro–brewery license, or a Class 2 rectifying license held under § 2–203 of this subtitle or the holder of a nonresident dealer's permit to brew and bottle malt beverages on their behalf;

(iv) May store the finished product under an individual storage permit or at a licensed public storage facility for subsequent sale and delivery to a licensed wholesaler, an authorized person outside this State, and for shipment back to the micro–brewery location for sale on the retail premises;

(v) May not collectively brew, bottle, or contract for more than 22,500 barrels of malt beverages each calendar year; and

(vi) May enter into a temporary delivery agreement with a distributor only for delivery of beer to a beer festival or wine and beer festival and the return of any unused beer if:

1. The beer festival or wine and beer festival is in a sales territory for which the holder does not have a franchise with a distributor under the Beer Franchise Fair Dealing Act; and

2. The temporary delivery agreement is in writing.

(2) A Class 7 licensee who wishes to produce more than the barrelage authorized under paragraph (1)(v) of this subsection shall divest of any Class B, D, or any other retail license and obtain a Class 5 manufacturer's license.

(3) For the purposes of determining the barrelage limitation under paragraph (1)(v) of this subsection, any salable beer produced under contractual arrangements accrues only to the Class 7 micro–brewery licensee who is the brand owner.

(4) In Allegany County only, the holder of a Class 7 license:

(i) May brew in one location and may contract for the bottling of the malt beverage in another location; and

(ii) Need not meet the hotel/motel requirements for a Class B beer, wine and liquor licensee but shall meet the requirements for those Class B restaurants.

(d) (1) The on–sale privilege authorizes the holder, each calendar year, to sell at retail up to 4,000 barrels of beer brewed under this license to customers for consumption on the licensed premises.

(2) The off–sale privilege authorizes the holder to sell and deliver beer brewed under this license to:

(i) Any wholesaler licensed under this article to sell beer in this State; or

(ii) Any person who is located in a state other than Maryland who is authorized under the laws of that state to receive brewed beverages.

(3) (i) This paragraph applies only in:

1. Allegany County;

2. The City of Annapolis;

3. Anne Arundel County;

4. Baltimore City;

5. Baltimore County;

6. Calvert County;

7. Carroll County;

8. Charles County;

9. Dorchester County;

10. Frederick County;

11. Garrett County;

12. Harford County;

13. Howard County;

14. Montgomery County;

15. Prince George's County;

16. Talbot County;

17. Wicomico County; and

18. Worcester County.

(ii) The holder may sell at retail beer brewed under this license to customers for consumption off the licensed premises in refillable containers that are sealed by the micro–brewery licensee at the time of each refill.

(e) A holder of a Class 7 micro–brewery license:

(1) May not own, operate or be affiliated with any other manufacturer of beer except for a Class 2 rectifying license authorized by subsection (c)(1)(ii) of this section; and

(2) Notwithstanding § 2–201(b) of this subtitle, may not be granted a wholesale alcoholic beverages license.

(f) (1) **[**The**]** **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** hours and days for consumer sales under **[**this**]** **A CLASS 7 MICRO–BREWERY** license are as established for **[**a**]:**

(I) A Class B license in the respective jurisdictions listed in subsection (b)(2) of this section**, FOR A HOLDER OF A CLASS B BEER, WINE AND LIQUOR LICENSE; OR**

(II) A CLASS D BEER LICENSE IN WORCESTER COUNTY, FOR A HOLDER OF A CLASS D BEER LICENSE IN THE TOWN OF BERLIN IN WORCESTER COUNTY.

(2) For Class D licensees in the 22nd Alcoholic Beverages District in Prince George's County only, the hours and days for consumer sales under this license are as established for a Class D license in Prince George's County.

(g) In Montgomery County, a holder of a Class 7 micro–brewery license shall enter into a written agreement with the Department of Liquor Control for Montgomery County for the sale and resale of malt beverages brewed under this license in accordance with this article.

(h) For Talbot County, the Office of the Comptroller of Maryland shall specify which local license is the equivalent of the Class B beer, wine and liquor license specified in subsection (b)(3) of this section.

(i) In Carroll County, the distance restriction requirement for micro–breweries is found in § 9–207 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 18, 2011

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 947 – *State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members*.

Senate Bill 947 prohibits a former member of a designated retirement and pension plan within the State Retirement and Pension System (SRPS) from receiving a

retroactive vested benefit allowance if the member files for vested benefits after normal retirement age. A member must submit a written application to the SRPS Board of Trustees that states the date on which the member wants to begin receiving a vested allowance. Under the bill, any benefits that the member would have received from normal age of retirement to the time the member actually applies for benefits must be forfeited. The bill also clarifies that members and former members who receive a refund of accumulated contributions are not entitled to further benefits.

Senate Bill 947 applies only prospectively and does not apply to any member or former member who, as of June 30, 2011, has separated from employment and has reached normal retirement age. All vested former members and active employees who leave service and have not yet reached normal retirement age, however, would be affected by the bill.

Under Current law, former vested members who apply for benefits after their normal retirement age are entitled to begin receiving their pensions and receive a lump–sum payment for past benefits not received. Active vested members who leave service upon reaching or exceeding their normal retirement age only receive pension benefits from the time of application forward.

Senate Bill 947 was proposed by the State Retirement Agency to address problems associated with former members who are entitled to either a refund of member contributions or a vested benefit, but who have not claimed those benefits. According to the General Assembly's consulting actuary, there are approximately 4,236 vested former members in the State plans who have not claimed their vested benefit despite being older than their normal retirement age. The Retirement Agency is currently undertaking measures to contact these former members with some success.

While I understand the concerns raised by the State Retirement Agency, I believe this legislation unintentionally imposes a very harsh punishment on former teachers and State employees who do not file their application for benefits upon reaching normal retirement age. These former members will be required to forfeit pension benefits that they have earned through years of dedicated service and that consist in part of employee contributions. In some cases, former employees have forgotten they are entitled to a pension benefit because decades have passed since they left teaching or State service, or they are simply not aware of the age of retirement. In some cases, intervening health problems have contributed to their failure to apply for benefits. Lost benefits can range from several thousand dollars to tens of thousands of dollars. I am particularly concerned about the potential impact of lost benefits on seniors who are struggling on fixed incomes.

Another concern I have with Senate Bill 947 is that there is no provision in the bill that allows former vested members to ask the SRPS Board of Trustees for a hardship waiver to allow a member to collect past benefits. As mentioned above, a member's impairment due to health reasons, such as dementia or Alzheimer's disease, may warrant such a waiver. Instead, members or their families would have to ask legislators to sponsor bills to grant statutory exemptions to the law. Finally, I am

concerned that the proposed change in this legislation applies to both current and former employees who arguably have a contractually vested right to this pension benefit under State law.

Senate Bill 947 was introduced late in Session and was not included in the package of bills that the State Retirement Agency submitted to the Joint Committee on Pensions. During the 2011 Interim, I encourage the Joint Committee to consider an equitable and more workable alternative to the one proposed in this legislation. I believe a better approach to ensuring that pension benefits are paid upon a member's age of retirement is for the State Retirement Agency to continue its aggressive practice of notifying former members to apply for benefits in a timely fashion.

For the above reasons, I have today vetoed Senate Bill 947.

Sincerely,

Governor

Senate Bill 947

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

FOR the purpose of requiring that certain members or former members of the State Retirement and Pension System complete and submit a certain application stating a certain date when the member or former member desires to commence receipt of a certain vested retirement allowance; prohibiting certain members or former members of the State Retirement and Pension System from receiving a certain vested retirement allowance for a certain period of time; providing that certain members or former members of the State Retirement and Pension System may receive a return of their accumulated contributions before payment of a certain vested allowance; providing that certain former members of the State Retirement and Pension System to whom certain accumulated contributions are returned are not entitled to any further benefits; <u>providing for the application of this Act;</u> and generally relating to members or former members of the State Retirement and Pension System receiving a vested retirement allowance.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–302 and 29–303
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

29–302.

(a) This section applies only to members of:

(1) the Correctional Officers' Retirement System;

(2) the Employees' Retirement System;

(3) the State Police Retirement System; and

(4) the Teachers' Retirement System.

(b) (1) A member **OR FORMER MEMBER** may **[**elect to**]** receive a vested allowance if:

(i) the member **OR FORMER MEMBER COMPLETES AND SUBMITS A WRITTEN APPLICATION TO THE BOARD OF TRUSTEES STATING THE DATE WHEN THE MEMBER OR FORMER MEMBER DESIRES TO COMMENCE RECEIPT OF A VESTED ALLOWANCE; AND**

(II) ON OR BEFORE THE DATE OF COMMENCEMENT OF A VESTED ALLOWANCE, THE MEMBER OR FORMER MEMBER:

1. is separated from employment other than by death or retirement; and

[(ii)**]** **2.** subject to paragraph (2) of this subsection, **[**the member**]** has at least 5 years of eligibility service.

(2) A **MEMBER OR** former member of the State Police Retirement System who separated from employment on or before June 30, 1989, must have at least 15 years of eligibility service to elect a vested allowance.

(3) **[**A member is deemed to have elected a vested allowance, unless the member requests the return of the accumulated contributions before membership ends.**]** **A MEMBER OR FORMER MEMBER WHO RECEIVES A VESTED ALLOWANCE UNDER THIS SECTION MAY NOT RECEIVE BENEFITS FOR THE PERIOD BEFORE THE MEMBER OR FORMER MEMBER SUBMITTED A COMPLETED APPLICATION TO THE BOARD OF TRUSTEES.**

(c) **[**A**] SUBJECT TO SUBSECTION (B) OF THIS SECTION, A** vested allowance is a deferred allowance ~~starting~~ **THAT MAY BEGIN** at:

(1) normal retirement age for members of:

(i) the Employees' Retirement System;

(ii) the State Police Retirement System; and

(iii) the Teachers' Retirement System;

(2) age 55 for a member of the Correctional Officers' Retirement System who is:

(i) a correctional officer in the first six job classifications;

(ii) a detention center officer employed by a participating governmental unit who has elected to participate in the Correctional Officers' Retirement System;

(iii) an individual serving as a correctional dietary, maintenance, laundry, or supply officer; or

(iv) an individual serving as a Maryland Correctional Enterprises officer, officer trainee, plant supervisor, plant manager, or regional manager; or

(3) age 60 for a member of the Correctional Officers' Retirement System who is a maximum security attendant at the Clifton T. Perkins Hospital Center.

(d) A vested allowance:

(1) is computed as a normal service retirement allowance on the basis of the former member's creditable service and average final compensation at the time of separation from employment; and

(2) may be paid in one of the optional forms of allowances under § 21–403 of this article.

(e) If a member **OR FORMER MEMBER** separated from employment on or before June 30, 1990, unused sick leave reported by the member's **OR FORMER MEMBER'S** employer at the time of separation from employment is creditable service for computing the vested allowance.

(f) (1) If a **MEMBER OR** former member who elected a vested allowance requests the return of accumulated contributions before payment of the vested allowance begins, the Board of Trustees shall return the accumulated contributions to the **MEMBER OR** former member.

(2) When accumulated contributions are returned to a former member, the former member is not entitled to further benefits on account of the former member's previous membership.

29–303.

(a) This section applies only to members of:

(1) the Employees' Pension System;

(2) the Local Fire and Police System;

(3) the Law Enforcement Officers' Pension System; or

(4) the Teachers' Pension System.

(b) **(1)** A member **[**is eligible to**]** **OR FORMER MEMBER MAY** receive a vested allowance if:

~~(1)~~ **(I)** the member **OR FORMER MEMBER COMPLETES AND SUBMITS A WRITTEN APPLICATION TO THE BOARD OF TRUSTEES STATING THE DATE WHEN THE MEMBER OR FORMER MEMBER DESIRES TO COMMENCE RECEIPT OF A VESTED ALLOWANCE; AND**

~~(2)~~ **(II) ON OR BEFORE THE DATE OF COMMENCEMENT OF A VESTED ALLOWANCE, THE MEMBER OR FORMER MEMBER:**

~~(I)~~ **1.** separated from employment other than by death or retirement; and

[(2)**]** ~~(II)~~ **2. [**the member**]** has at least 5 years of eligibility service.

(2) A MEMBER OR FORMER MEMBER WHO RECEIVES A VESTED ALLOWANCE UNDER THIS SECTION MAY NOT RECEIVE BENEFITS FOR THE PERIOD BEFORE THE MEMBER OR FORMER MEMBER SUBMITTED A COMPLETED APPLICATION TO THE BOARD OF TRUSTEES.

(c) Except as provided in subsections (e), (f), **[**and**]** (g)**, AND (H)** of this section **AND SUBJECT TO SUBSECTION (B) OF THIS SECTION**, a vested allowance:

(1) is a deferred allowance that [begins] **MAY BEGIN** at normal retirement age;

(2) is computed as a normal service retirement allowance on the basis of the member's average final compensation and eligibility service at separation from employment; and

(3) may be paid in one of the optional forms of allowances under § 21–403 of this article.

(d) If a member of the Employees' Pension System or the Teachers' Pension System separated from employment on or before June 30, 1990, unused sick leave reported by the member's employer at the time of separation from employment is creditable service for computing the vested allowance.

(e) Except as provided in subsection (f) of this section, a former member of the Employees' Pension System or the Teachers' Pension System who has separated from employment before the age of 55 with at least 15 years of eligibility service is eligible to receive a vested allowance that:

(1) [begins] **MAY BEGIN** on the first day of the month following the member's 55th birthday; and

(2) equals the reduced allowance computed under § 23–402 of this article.

(f) (1) The vested allowance of a former member of the Employees' Pension System or the Teachers' Pension System who separates from employment on or before June 30, 1998:

(i) is a deferred allowance that [begins] **MAY BEGIN** at normal retirement age;

(ii) is computed on the basis of the member's average final compensation and eligibility service at separation from employment;

(iii) shall equal the number of years of the member's creditable service multiplied by:

1. 0.8% of the member's average final compensation that is not in excess of the Social Security integration level; and

2. 1.5% of the member's average final compensation that exceeds the Social Security integration level; and

(iv) may be paid in one of the optional forms of allowances under § 21–403 of this article.

(2) A former member of the Employees' Pension System or the Teachers' Pension System who has separated from employment on or before June 30, 1998 and before the age of 55 with at least 15 years of eligibility service is eligible to receive a vested allowance that:

(i) **[**begins**]** **MAY BEGIN** on the first day of the month following the member's 55th birthday; and

(ii) equals the allowance under paragraph (1) of this subsection, reduced by 0.5% for each month that the member's early retirement date precedes the date the member will be 62 years old.

(g) (1) Except as provided in paragraph (2) of this subsection and subject to paragraph (3) of this subsection, the vested allowance of a former member of the Law Enforcement Officers' Pension System who separates from employment on or before June 30, 2000:

(i) is a deferred allowance that **[**begins**]** **MAY BEGIN** at normal retirement age;

(ii) is computed on the basis of the member's average final compensation and eligibility service at separation from employment; and

(iii) shall equal the number of years of the member's creditable service multiplied by:

1. 1% of the member's average final compensation that is not in excess of the Social Security integration level; and

2. 1.7% of the member's average final compensation that exceeds the Social Security integration level.

(2) (i) This subsection applies only to a former member of the Law Enforcement Officers' Pension System who:

1. transferred to the Law Enforcement Officers' Pension System from the Employees' Retirement System; and

2. separates from employment on or before June 30, 2000.

(ii) The vested allowance of a former member:

1. is a deferred allowance that **[**begins**]** **MAY BEGIN** at normal retirement age;

2. is computed on the basis of the member's average final compensation and eligibility service at separation from employment; and

3. shall equal:

A. 2% of the member's average final compensation multiplied by each year of the member's first 30 years of creditable service; and

B. 1% of the member's average final compensation multiplied by each year of creditable service in excess of 30 years.

(3) (i) This paragraph applies only to a former member who is:

1. receiving a deferred allowance under paragraph (1) of this subsection; and

2. under the age of 62 years.

(ii) On receipt of a vested allowance, a former member shall receive a supplemental deferred allowance that equals the difference between:

1. the former member's vested allowance; and

2. 1.7% of the member's average final compensation for each year of creditable service.

(iii) Payment of the supplemental deferred allowance ends when the former member:

1. attains the age of 62 years; or

2. dies.

(H) (1) IF A MEMBER OR FORMER MEMBER REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE MEMBER OR FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any member or former member of one of the several systems of the State Retirement and Pension System that, as of June 30, 2011:

(a) has at least 5 years of eligibility service before the effective date of this Act;

(b) separated from employment with a participating employer other than by death or retirement; and

(c) has reached normal retirement age under Division II of the State Personnel and Pensions Article.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Vetoed House Bills and Messages

May 18, 2011

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 22 – *Courts – Attorneys – Subpoena Procedures and Forms of the Circuit Courts.*

House Bill 22, as originally introduced, required the courts to adopt uniform subpoena procedures and forms to be used in circuit courts throughout Maryland. The Maryland Judiciary objected to this measure as the requisite programming costs would have been a significant additional expense, at a time when the Judiciary is in the process of establishing a statewide case management system. Given the Judiciary's opposition to the uniform procedures, the bill was amended to allow attorneys, and other officers of the court, to obtain signed and sealed subpoenas and to photocopy those subpoenas and use the photocopies for service. The Maryland Judiciary opposed this amended version as well.

Pursuant to Rules 2-510(b) and 3-510(b) of the Maryland Rules of Practice and Procedure, courts clerks are required to issue blank, signed and sealed subpoenas to attorneys or other officers of the court upon request. The Rules in no way limit the number required to be issued. Attorneys may then fill in the information, regarding the witnesses or documentation to be produced under the court order, and deliver the subpoenas. This practice is designed to offer flexibility and convenience for attorneys, all of whom are subject to sanctions if the entrusted authority is abused. House Bill 22 would codify the current practice, required by the Rules, and additionally allow those subpoenas to be photocopied and issued.

The Maryland Judiciary has voiced strong opposition to House Bill 22 and Chief Judge Robert Bell has urged a veto. According to Chief Judge Bell, the current Rules were adopted after extensive hearings and careful deliberation by the Rules Committee. That Committee balanced attorney convenience with the risk of misuse and altered the blank subpoena rule from discretionary issuance to mandatory. House Bill 22 relaxes these carefully-constructed Rules, according to the Judiciary, and invites misuse of the legal process by removing the safeguard of the clerk and allowing access to court orders by anyone with a copier and a subpoena. These orders could be fraudulently issued for the production of witnesses or for otherwise private information. In requesting a veto of House Bill 22, Chief Judge Bell indicated that "if it goes into effect, the damage would be profound."

While I am vetoing House Bill 22, I agree with the intent behind its original introduction. There should be uniformity in the circuit court subpoena process to ensure that all parties, and their attorneys, have access to due process of law. Moreover, given the Rules' statewide application and the cross-county practice of attorneys, all clerks should be operating under the same set of procedures for the issuance of blank subpoenas. As such, I would urge the Maryland Judiciary to continue to work towards a uniform process and to ensure that the current Rules, requiring the issuance of unlimited blank subpoenas, are being enforced.

For the above reasons, I have today vetoed House Bill 22.

Sincerely,

Governor

House Bill 22

AN ACT concerning

~~Administrative Office of the Courts – Uniform~~ Courts – Attorneys – Subpoena Procedures and Forms for Circuit Courts

FOR the purpose of ~~requiring the Administrative Office of the Courts, on or before a certain date, to design uniform subpoena procedures and forms to be provided to and used in the circuit courts of the State in subpoenaing a person for a criminal, civil, or traffic matter.~~ authorizing an attorney or other officer of the court entitled to the issuance of a subpoena by a clerk of a court to obtain from the clerk of the court a subpoena that is signed and sealed by the clerk of court; authorizing the attorney or other officer of the court to photocopy or otherwise copy and use a certain subpoena for service; and generally relating to subpoenas.

BY adding to
Article – Courts and Judicial Proceedings
Section 1–505
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

1–505.

~~ON OR BEFORE JANUARY 1, 2012, THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL DESIGN UNIFORM SUBPOENA PROCEDURES AND FORMS TO BE PROVIDED TO AND USED IN THE CIRCUIT COURTS OF THE STATE IN SUBPOENAING A PERSON FOR A CRIMINAL, CIVIL, OR TRAFFIC MATTER.~~

(A) AN ATTORNEY OR OTHER OFFICER OF THE COURT ENTITLED TO THE ISSUANCE OF A SUBPOENA BY A CLERK OF A COURT MAY OBTAIN FROM THE CLERK OF THE COURT A SUBPOENA THAT IS SIGNED AND SEALED BY THE CLERK OF COURT.

(B) AN ATTORNEY OR OTHER OFFICER OF THE COURT MAY PHOTOCOPY OR OTHERWISE COPY A SUBPOENA ISSUED BY A CLERK OF A COURT UNDER SUBSECTION (A) OF THIS SECTION AND USE THE SUBPOENA FOR SERVICE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 40 – *Joint Committee on Workers' Compensation Benefit and Insurance Oversight – Membership*.

This bill expands the membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight to include a representative from a self–insured local government entity.

Senate Bill 1, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 40.

Sincerely,

Governor

House Bill 40

AN ACT concerning

Joint Committee on Workers' Compensation Benefit and Insurance Oversight – Membership

FOR the purpose of increasing the membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight to include a certain member; repealing obsolete provisions; making stylistic changes; and generally relating to membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–03
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

2–10A–03.

(a) There is a Joint Committee on Workers' Compensation Benefit and Insurance Oversight.

(b) (1) The Committee consists of **[**15**] 16** members.

(2) Of the **[**15**] 16** members:

(i) 1. 2 shall be members of the Senate appointed by the President of the Senate; **AND**

2. 2 shall be Delegates appointed by the Speaker of the House of Delegates; and

(ii) **[**11**] 12** shall be appointed jointly by the President and the Speaker as follows:

1. 1 representative of the business community;

2. 1 representative of the Maryland labor organizations;

3. 1 representative of the Maryland building and construction labor organizations;

4. 1 REPRESENTATIVE OF A SELF–INSURED LOCAL GOVERNMENT ENTITY;

[4.**]** **5.** 2 members of the public;

[5.**]** **6.** 1 member of the insurance industry;

[6.**]** **7.** 1 member of the Medical and Chirurgical Faculty of Maryland;

[7.**]** **8.** 1 member of a workers' compensation rating organization;

[8.**]** **9.** 2 members of the Bar of the Court of Appeals of Maryland, 1 of whom represents plaintiffs in workers' compensation cases and 1 of whom represents defendants in workers' compensation cases; and

[9.**]** **10.** 1 member who is certified by the Workers' Compensation Commission as a Maryland rehabilitation service provider.

(c) The members of the Committee serve at the pleasure of the presiding officer who appointed them.

(d) The President and the Speaker shall jointly appoint a Senator and a Delegate each to serve as cochair.

(e) (1) **[**(i)**]** The Committee shall examine and evaluate:

[1.**]** **(I)** the condition of the workers' compensation benefit and insurance structure in the State; and

[2.**]** **(II)** the effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on that structure.

[(ii)**]** **(2)** This examination shall include the regulations adopted by the Workers' Compensation Commission that are to be used by physicians to measure impairment when preparing medical evaluations of claimants.

[(2) The Committee shall review the adequacy and appropriateness of all benefits specified in §§ 9–626 and 9–627(a) and (b) of the Labor and Employment Article and make recommendations for necessary changes prior to the 1992 Regular Session of the General Assembly.

(3) The Committee shall direct the Insurance Commissioner to prepare a feasibility study on alternative methods to determine the provision for claim payment and to submit the study to the Governor and the Legislative Policy Committee on or before January 1, 1991.**]**

(f) The Insurance Commissioner and the Workers' Compensation Commission shall:

(1) cooperate fully with the Committee;

(2) keep the Committee fully informed as to the condition of workers' compensation benefits and workers' compensation insurance in the State and the effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on those benefits and that insurance; and

(3) submit an annual report, subject to § 2–1246 of this title, to the Committee on or before October 1 of each year that incorporates the information described in **[**paragraph**]** **ITEM** (2) of this subsection.

(g) The Committee shall report to the Governor and the Legislative Policy Committee on December 31 of each year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 64 – *State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation*.

This bill continues the State Board of Examiners of Nursing Home Administrators in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2017, the termination provisions relating to the statutory and regulatory authority of the Board. This bill alters the membership of the Board and requires that an evaluation of the Board be performed on or before July 1, 2016, requiring the Board to make a specified report on or before October 1, 2011.

Senate Bill 93, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 64.

Sincerely,

Governor

House Bill 64

AN ACT concerning

State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners of Nursing Home Administrators in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; altering the membership of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Examiners of Nursing Home Administrators.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 9–202 and 9–502
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(42)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

9–202.

(a) (1) The Board consists of **[**13**]** **14** members.

(2) Of the **[**13**]** **14** Board members:

(i) Six members shall be licensed nursing home administrators who are practicing actively and have at least 5 years experience as licensed nursing home administrators, one of whom has experience with the Eden Alternative Green House or a similar program, if practicable;

(ii) Two shall be individuals who are not nursing home administrators but who are engaged actively in professions that are concerned with the care of chronically ill, infirm, or aged individuals;

(iii) One shall be a physician or a nurse practitioner who specializes in geriatrics;

(iv) One shall be a geriatric social worker; **[**and**]**

(V) ONE SHALL BE THE STATE LONG–TERM CARE OMBUDSMAN DESIGNATED UNDER § 10–903 OF THE HUMAN SERVICES ARTICLE; AND

[(v)**]** **(VI)** Two shall be consumer members.

(3) Not more than **[**two**]** **THREE** members may be officials or full–time employees of this State or of any of its political subdivisions.

(4) A representative of the Office of Health Care Quality shall serve as an ex officio member.

(b) (1) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.

(2) (i) Except for the consumer members **AND THE STATE LONG–TERM CARE OMBUDSMAN**, the Governor shall appoint each Board member, with the advice of the Secretary.

(ii) The Secretary shall make each recommendation after consulting with the associations and societies appropriate to the disciplines and professions representative of the vacancy to be filled.

(c) Each Board member shall:

(1) Be a United States citizen or have declared an intent to become a United States citizen; and

(2) Have resided in this State for at least 1 year before appointment to the Board.

(d) (1) Each consumer member of the Board:

(i) Shall be a member of the general public;

(ii) May not be or ever have been a nursing home administrator or in training to become a nursing home administrator;

(iii) May not have a household member who is a nursing home administrator or in training to become a nursing home administrator;

(iv) May not participate or ever have participated in a commercial or professional field related to the practice of a nursing home administrator;

(v) May not have a household member who participates in a commercial or professional field related to the practice of a nursing home administrator; and

(vi) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(2) One consumer member shall have presently or have had a family member living in a nursing home.

(e) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(g) (1) **THIS SUBSECTION DOES NOT APPLY TO THE STATE LONG–TERM CARE OMBUDSMAN.**

(2) The term of a member is 4 years.

[(2)**]** **(3)** The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1981.

[(3)**]** **(4)** At the end of a term, a member continues to serve until a successor is appointed and qualifies.

[(4)**]** **(5)** A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

[(5)**]** **(6)** A member may not serve more than 2 consecutive full terms.

[(6)**]** **(7)** To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(h) (1) The Governor may remove a member for incompetence, misconduct, incapacity, or neglect of duty.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.

9–502.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this title and all rules and regulations adopted under this title shall terminate and be of no effect after July 1, **[**2013**]** **2017**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(42) Nursing Home Administrators, State Board of Examiners of (§ 9–201 of the Health Occupations Article: July 1, **[**2012**]** **2016**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2011, the State Board of Examiners of Nursing Home Administrators shall submit a report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on:

(1) a plan to improve the timeliness and functioning of its disciplinary process, including the complaint investigation process;

(2) ~~a jointly developed plan to improve communication between the Board and the Department of Aging's Long Term Care Ombudsman Program;~~

~~(3)~~ a review of trends in licensing, with a focus on new licenses issued, the stability of renewal of licenses, and licensees on inactive status;

~~(4)~~ (3) implementation of an online renewal process;

~~(5)~~ (4) implementation of the planned database to track deficiency survey reports;

~~(6)~~ (5) implementation of new and revised regulations proposed through the Regulatory Review and Evaluation Process in 2009, including those relating to the Administrator–in–Training program, the disciplinary process, and new causes for disciplinary action; and

~~(7)~~ (6) the additional revenue generated from alterations to the fee structure through proposed regulatory changes.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 66 – *State Board of Podiatric Medical Examiners – Sunset Extension and Program Evaluation*.

This bill continues the State Board of Podiatric Medical Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending the termination provisions relating to authority of the Board to July 1, 2022. This bill requires that an evaluation of the Board and the statutes and regulations that relate

to the Board be performed on or before July 1, 2021 and in addition requires the Board to report on regulation of podiatry in the State to specified committees of the General Assembly on or before October 1, 2015.

Senate Bill 90, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 66.

Sincerely,

Governor

House Bill 66

AN ACT concerning

State Board of Podiatric Medical Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Podiatric Medical Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Podiatric Medical Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 16–602
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(52)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

16–602.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this title and all rules and regulations adopted under this title shall terminate and be of no effect after July 1, **[**2012**] 2022**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(52) Podiatric Medical Examiners, State Board of (§ 16–201 of the Health Occupations Article: July 1, **[**2011**] 2021**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, the State Board of Podiatric Medical Examiners shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, regarding the status of the Board and the regulation of podiatry in the State. The report shall include information for the years fiscal 2011 through fiscal 2015, inclusive, that addresses:

(1) the number of podiatrists licensed by the Board;

(2) whether the Board has implemented any new requirements for the licensure, certification, or registration of individuals who practice or assist in the practice of podiatry, and the number of individuals licensed, certified, or registered as a result of any new requirements implemented by the Board;

(3) the number of complaints received by the Board for individuals who practice or assist in the practice of podiatry and the resolution of the complaints;

(4) a summary of any major legislative or regulatory changes impacting podiatry, including changes to fees charged by the Board; and

(5) an update on the Board's finances including the revenue and expenditures for each fiscal year.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 68 – *State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Sunset Extension and Program Evaluation*.

This bill continues the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2023, the termination provisions relating to the statutory and regulatory authority of the Board. This bill requires the Board to submit a report to specified committees of the General Assembly on or before October 1, 2012.

Senate Bill 92, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 68.

Sincerely,

Governor

House Bill 68

AN ACT concerning

State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A–602
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(28)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

9A–602.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, **[**2013**] 2023**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(28) Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of (§ 9A–201 of the Business Regulation Article: July 1, **[**2012**] 2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, that:

(a) assesses the feasibility of requiring counties to enforce the State mechanical code;

(b) states whether the Board has adopted a regulation exempting individuals who install thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs from licensing requirements;

(c) if the Board has adopted a regulation exempting individuals who install thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs from licensing requirements:

(1) states whether the Board has verified that a public ~~utility~~ service company or a designee of a ~~utility~~ public service company has provided training and oversight to ensure that all unlicensed ~~PeakRewards~~ demand response program work is performed in a safe manner;

(2) summarizes complaints received by the Board related to the improper installation of thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs; and

(3) summarizes the Board's efforts to address:

(i) complaints received by the Board related to the improper installation of thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs; and

(ii) the problems underlying the complaints;

(d) states whether, after consulting with the Department of Budget and Management, the Department of Labor, Licensing, and Regulation is able to identify additional ways of enhancing the efficient resolution of consumer complaints; and

(e) states whether the Board has:

(1) filled the final vacant consumer and industry member positions; and

(2) provided full geographic representation on the Board.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 89 – *Mental Hygiene – Admission Provisions – Definition of "Psychologist"*.

This bill expands the membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight to include a representative from a self–insured local government entity.

Senate Bill 428, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 89.

Sincerely,

Governor

House Bill 89

AN ACT concerning

Mental Hygiene – Admission Provisions – Definition of "Psychologist"

FOR the purpose of altering the definition of "psychologist" for purposes of certain provisions of law relating to admissions to certain mental health facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–601
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

10–601.

(a) In this subtitle the following words have the meanings indicated.

(b) "Clinical social worker" means an individual who is licensed under Title 19 of the Health Occupations Article to practice clinical social work.

(c) "Licensed clinical marriage and family therapist" means an individual who is licensed under Title 17, Subtitle 3A of the Health Occupations Article to practice clinical marriage and family therapy.

(d) "Licensed clinical professional counselor" means an individual who is licensed under Title 17, Subtitle 3A of the Health Occupations Article to practice clinical professional counseling.

(e) "Physician" means an individual who is licensed under Title 14 of the Health Occupations Article to practice medicine in this State.

(f) "Psychologist" means an individual who is**[**:

(1) Licensed**]** **LICENSED** under Title 18 of the Health Occupations Article **TO PRACTICE PSYCHOLOGY[**; and

(2) Listed in the National Register of Health Service Providers in Psychology**]**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 103 – *Vehicle Laws – Exceptional Hauling Permits – Farm Products*.

This bill expands the State Highway Administration's exceptional hauling permit program to include vehicles carrying any farm product under essentially the same rules and conditions that applied to the forestry and milk products exceptional hauling permits. The bill authorizes issuance of annual permits for $250 and 30–day permits for $30.

Senate Bill 19, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 103.

Sincerely,

Governor

House Bill 103

AN ACT concerning

Vehicle Laws – ~~Gross Weight Limits~~ Exceptional Hauling Permits – Farm ~~Vehicles and Vehicles Carrying Farm~~ Products

FOR the purpose of ~~allowing~~ authorizing the State Highway Administration to issue permits for certain vehicles ~~that are registered as farm vehicles or that are~~ carrying certain ~~farm products, and that are loaded in a certain location, a certain gross weight limit tolerance~~ products and loads of certain maximum weights to operate in certain areas ~~under~~ in certain circumstances and subject to certain conditions; expanding the scope of a certain permitting process for certain vehicles that carry certain forest products to include certain vehicles that carry certain farm products; repealing a certain separate permitting process for certain vehicles that carry certain milk products; altering certain fees for permits for certain vehicles that carry certain products; altering certain time periods in which certain permits for certain vehicles that carry certain products are valid; defining a certain term; and generally relating to ~~gross weight limits for farm vehicles and~~ exceptional hauling permits for vehicles carrying farm products.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 10–601(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section ~~24–109~~ 24–113.2
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing
Article – Transportation
Section 24–113.3
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

10–601.

(c) "Farm product" means any agricultural, horticultural, vegetable, or fruit product of the soil, including livestock, meats, marine food products, poultry, eggs, dairy products, wool, hides, feathers, nuts, honey, and every product of farm, forest, orchard, garden or water, but does not include canned, frozen, dried, or pickled products.

Article – Transportation

~~24–109.~~

~~(a) (1) In this section the following words have the meanings indicated.~~

~~(2) "Single axle weight" means the total weight transmitted by all wheels whose centers may be included between 2 parallel transverse vertical planes 40 inches apart extending across the full width of the vehicle.~~

~~(3) "Tandem axle weight" means the total weight transmitted to the road by 2 or more consecutive axles whose centers may be included between parallel vertical planes spaced more than 40 inches apart but not more than 96 inches apart extending across the full width of the vehicle.~~

~~(b) Notwithstanding any other provisions of this title, the overall gross weight on a group of 2 or more consecutive axles may not exceed an amount produced by application of the following formula:~~

$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

~~where "W" = overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" = distance in feet measured horizontally between the vertical centerlines of the extreme of any group of 2 or more consecutive axles, and "N" = number of axles in group under consideration, except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more; provided, that such overall gross weight may not exceed eighty thousand (80,000) pounds, including any enforcement or statutory tolerances.~~

~~(c) The following table indicates the permissible overall gross weights based upon the above formula:~~

~~Distance in feet between the extremes of any group of 2 or more consecutive axles~~	~~2 axles~~	~~3 axles~~	~~4 axles~~	~~5 axles~~	~~6 axles~~	~~7 axles~~
~~4~~	~~34,000~~					
~~5~~	~~34,000~~					
~~6~~	~~34,000~~					
~~7~~	~~34,000~~					
~~8 and less~~	~~34,000~~	~~34,000~~				
~~More than 8~~	~~38,000~~	~~42,000~~				
~~9~~	~~39,000~~	~~42,500~~				
~~10~~	~~40,000~~	~~43,500~~				
~~11~~		~~44,000~~				
~~12~~		~~45,000~~	~~50,000~~			
~~13~~		~~45,500~~	~~50,500~~			
~~14~~		~~46,500~~	~~51,500~~			
~~15~~		~~47,000~~	~~52,000~~			

~~16~~		~~48,000~~	~~52,500~~	~~58,000~~		
~~17~~		~~48,500~~	~~53,500~~	~~58,500~~		
~~18~~		~~49,500~~	~~54,000~~	~~59,000~~		
~~19~~		~~50,000~~	~~54,500~~	~~60,000~~		
~~20~~		~~51,000~~	~~55,500~~	~~60,500~~	~~66,000~~	
~~21~~		~~51,500~~	~~56,000~~	~~61,000~~	~~66,500~~	
~~22~~		~~52,500~~	~~56,500~~	~~61,500~~	~~67,000~~	
~~23~~		~~53,000~~	~~57,500~~	~~62,500~~	~~68,000~~	
~~24~~		~~54,000~~	~~58,000~~	~~63,000~~	~~68,500~~	~~74,000~~
~~25~~		~~54,500~~	~~58,500~~	~~63,500~~	~~69,000~~	~~74,500~~
~~26~~		~~55,500~~	~~59,500~~	~~64,000~~	~~69,500~~	~~75,000~~
~~27~~		~~56,000~~	~~60,000~~	~~65,000~~	~~70,000~~	~~75,500~~
~~28~~		~~57,000~~	~~60,500~~	~~65,500~~	~~71,000~~	~~76,500~~
~~29~~		~~57,500~~	~~61,500~~	~~66,000~~	~~71,500~~	~~77,000~~
~~30~~		~~58,500~~	~~62,000~~	~~66,500~~	~~72,000~~	~~77,500~~
~~31~~		~~59,000~~	~~62,500~~	~~67,500~~	~~72,500~~	~~78,000~~
~~32~~		~~60,000~~	~~63,500~~	~~68,000~~	~~73,000~~	~~78,500~~
~~33~~			~~64,000~~	~~68,500~~	~~74,000~~	~~79,000~~
~~34~~			~~64,500~~	~~69,000~~	~~74,500~~	~~80,000~~
~~35~~			~~65,500~~	~~70,000~~	~~75,000~~	
~~36~~	~~Exception: See subsection (b), this section~~		~~(66,000)~~	~~70,500~~	~~75,500~~	
~~37~~			~~(66,500)~~	~~71,000~~	~~76,000~~	
~~38~~			~~(67,500)~~	~~72,000~~	~~77,000~~	
~~39~~			~~68,000~~	~~72,500~~	~~77,500~~	
~~40~~			~~68,500~~	~~73,000~~	~~78,000~~	
~~41~~			~~69,500~~	~~73,500~~	~~78,500~~	
~~42~~			~~70,000~~	~~74,000~~	~~79,000~~	
~~43~~			~~70,500~~	~~75,000~~	~~80,000~~	
~~44~~			~~71,500~~	~~75,500~~		
~~45~~			~~72,000~~	~~76,000~~		
~~46~~			~~72,500~~	~~76,500~~		
~~47~~			~~73,500~~	~~77,500~~		
~~48~~			~~74,000~~	~~78,000~~		
~~49~~			~~74,500~~	~~78,500~~		
~~50~~			~~75,500~~	~~79,000~~		
~~51~~			~~76,000~~	~~80,000~~		
~~52~~			~~76,500~~			
~~53~~			~~77,500~~			
~~54~~			~~78,000~~			
~~55~~			~~78,500~~			
~~56~~			~~79,500~~			
~~57~~			~~80,000~~			

~~(d) The gross weight of any vehicle or combination of vehicles may not exceed the following limits:~~

~~Number of axles~~	~~Gross weight (in pounds)~~
~~Three or less~~	~~55,000~~
~~Four~~	~~66,000~~
~~Five as provided for in § 13–916 or § 13–923 of this article~~	~~80,000~~

~~(e) A trailer with metal tires and a gross weight of more than 6,000 pounds may not be moved on a highway.~~

~~(f) (1) Except on interstate highways, a single unit vehicle with 3 axles, or a combination of vehicles with a trailer less than 32 feet long or a semitrailer less than 45 feet long, either registered as a farm vehicle or carrying farm products as defined under § 10–601 of the Agriculture Article that were loaded in fields or other off–highway locations, is permitted~~ **A GROSS WEIGHT AND** ~~an axle load limit tolerance of 5 percent from subsections (b) and (c) of this section, except during harvest time when~~ **A GROSS WEIGHT LIMIT TOLERANCE OF 5 PERCENT AND** ~~an axle load limit tolerance of 15 percent from subsections (b) and (c) of this section~~ **[**~~is~~**] ARE** ~~permitted for a vehicle carrying the following agricultural products:~~

~~(i) Wheat, for the period from June 1 to August 15;~~

~~(ii) Corn, for the period from July 1 to December 1;~~

~~(iii) Soybeans, for the period from September 1 to December 31; and~~

~~(iv) Vegetable crops, for the period from June 1 to October 31.~~

~~(2) (i) Except on interstate highways, a single unit vehicle with at least 3 axles or a combination of vehicles with a trailer length of less than 32 feet carrying forest products that have been loaded in forests or other similar off–highway locations is permitted an axle load limit tolerance of 10 percent from subsections (b) and (c) of this section, except for the period from June 1 through September 30 when an axle load limit tolerance of 15 percent from subsections (b) and (c) of this section is permitted.~~

~~(ii) Except on interstate highways, a combination of vehicles with a semitrailer length of 45 feet or less carrying forest products that have been loaded in forests or other similar off–highway locations is permitted an axle load limit tolerance of 5 percent from subsections (b) and (c) of this section, except for the period from June 1 through September 30 when an axle load limit tolerance of 15 percent from subsections (b) and (c) of this section is permitted.~~

24–113.2.

(a) [An] **UNLESS OTHERWISE PROVIDED BY FEDERAL LAW, AN** exceptional hauling permit issued under this section is **NOT** valid [only in:

(1) Allegany County and Garrett County; and

(2) Dorchester County, Somerset County, Talbot County, Wicomico County, and Worcester County] **ON THE INTERSTATE HIGHWAY SYSTEM, AS DEFINED IN § 8–101(J) OF THIS ARTICLE**.

(b) Notwithstanding any other provision of this title, the State Highway Administration may issue an exceptional hauling permit for a combination of vehicles that:

(1) Carries [forestry products] **FARM PRODUCTS AS DEFINED IN § 10–601(C) OF THE AGRICULTURE ARTICLE** that:

(i) Are loaded in fields or other off–highway locations; and

(ii) Are the only load of the vehicle; and

(2) Has an axle configuration of not less than six axles and a front–to–rear centerline axle spacing of not less than 50 feet.

(c) A combination of vehicles operating under the authority of an exceptional hauling permit issued under subsection (b) of this section shall:

(1) Comply with the following weight limits:

(i) A maximum of 20,000 pounds gross weight on a single axle;

(ii) For any consecutive axle configuration of two or more axles on individual vehicles in the combination, the maximum gross weight specified in § 24–109(c) of this subtitle; and

(iii) A maximum of 87,000 pounds gross combination weight;

(2) Twice each year, submit to and pass a North American Standard Driver/Vehicle Level 1 inspection; and

(3) Be allowed a load limit tolerance of only 1,000 pounds for gross combination weight and 15% for axle weights.

(d) While operating a combination of vehicles under the authority of an exceptional hauling permit issued under subsection (b) of this section, a person may not:

(1) Violate a highway restriction issued by a competent authority;

(2) Operate the combination of vehicles on the interstate highway system, as defined in § 8–101(j) of this article;

(3) Operate the combination of vehicles if the combination of vehicles exceeds any tire weight rating or tire speed restriction adopted under § 25–111 of this article; or

(4) Fail to comply with the terms and conditions of the exceptional hauling permit.

(e) While operating a combination of vehicles under the authority of an exceptional hauling permit issued under subsection (b) of this section, a person shall have in the person's possession:

(1) The original exceptional hauling permit issued for the vehicle; and

(2) For each vehicle in the combination of vehicles, a copy of a valid North American Standard Driver/Vehicle Level 1 inspection report issued within the preceding 180 days that shows no out–of–service violations.

(f) (1) A violation of this section, regulations adopted to implement this section, or the terms and conditions of an exceptional hauling permit issued under subsection (b) of this section shall:

(i) Void the authority granted under the exceptional hauling permit;

(ii) Subject the vehicle to all weight requirements and tolerances specified in this article; and

(iii) For a violation of a weight restriction specified in this section that exceeds 5,000 pounds, subject the exceptional hauling permit to immediate confiscation by an officer or authorized civilian employee of the Department of State Police, an officer of the Maryland Transportation Authority Police, or any police officer.

(2) A person who confiscates an exceptional hauling permit under paragraph (1) of this subsection shall immediately notify the State Highway Administration.

(3) On notification of the confiscation of an exceptional hauling permit, the State Highway Administration shall review the confiscation, verify the violation of a weight restriction, and, if the State Highway Administration determines that a violation did occur, revoke the permit.

(4) An owner or operator of a combination of vehicles may appeal the revocation of an exceptional hauling permit to the State Highway Administrator or the Administrator's designee.

(g) (1) On request from the State Highway Administrator or the Administrator's designee, weight and delivery records of the holder of an exceptional hauling permit that are kept in the normal course of business shall be provided by:

(i) The holder of the exceptional hauling permit; or

(ii) A facility that receives **[**forestry**]** **FARM** products**, AS DEFINED IN § 8–101(J) OF THE AGRICULTURE ARTICLE,** delivered by a vehicle operating under the authority of an exceptional hauling permit.

(2) If the holder of an exceptional hauling permit or a facility that receives **[**forestry**]** **FARM** products does not comply with a request under this subsection, the State Highway Administration may:

(i) Suspend the holder's exceptional hauling permit; or

(ii) Prohibit a vehicle from delivering **[**forestry**]** **FARM** products under the authority of the exceptional hauling permit to the noncompliant facility.

(h) (1) An applicant for an exceptional hauling permit shall pay to the State Highway Administration:

(i) **1.** **[**$500**]** **$250** for the issuance of a new **ANNUAL** permit or the annual renewal **[**of a permit**]**; **OR**

2. $30 FOR THE ISSUANCE OF A 30–DAY PERMIT;

(ii) $1,000 for the reinstatement of a permit that was revoked under subsection (f)(3) of this section for a first violation; and

(iii) $5,000 for the reinstatement of a permit that was revoked under subsection (f)(3) of this section for a second or subsequent violation within the prior 24 months.

(2) A fee paid under this subsection is nonrefundable.

(i) Except as otherwise provided in this section, an exceptional hauling permit is valid for**:**

(1) 1 year from the date of issuance **FOR AN ANNUAL PERMIT; OR**

(2) **30 CONSECUTIVE DAYS FOR A 30–DAY PERMIT**.

(j) In consultation with the Secretary of State Police, the State Highway Administration shall adopt regulations to implement this section.

(k) (1) An exceptional hauling permit is issued under this section at the discretion of the State Highway Administrator.

(2) The State Highway Administrator may stop issuing or renewing exceptional hauling permits under this section if the Administrator determines that the use of the permits is adversely affecting any part of the State highway system.

(3) The State Highway Administrator shall promptly report to the General Assembly, in accordance with § 2–1246 of the State Government Article, regarding any decision to stop issuing or renewing exceptional hauling permits under this section and the reason for the decision.

[24–113.3.

(a) An exceptional milk hauling permit issued under this section is valid only in Allegany County, Anne Arundel County, Baltimore County, Carroll County, Frederick County, Garrett County, Howard County, Montgomery County, Prince George's County, and Washington County.

(b) Notwithstanding any other provision of this title, the State Highway Administration may issue an exceptional milk hauling permit for a combination of vehicles that:

(1) Carries to a processing plant raw liquid milk that is the only load on the vehicle and is loaded from bulk liquid milk storage tanks at one or more farm locations; and

(2) Has an axle configuration of not less than six axles and a front–to–rear centerline axle spacing of not less than 50 feet.

(c) A combination of vehicles operating under the authority of an exceptional milk hauling permit issued under subsection (b) of this section shall:

(1) Comply with the following weight limits:

(i) A maximum of 20,000 pounds gross weight on a single axle;

(ii) For any consecutive axle configuration of two or more axles on individual vehicles in a combination, the weight specified in § 24–109(c) of this subtitle; and

(iii) A maximum of 87,000 pounds gross combination weight;

(2) Twice each year, submit to and pass a North American Standard Driver/Vehicle Level 1 inspection; and

(3) Be allowed a load limit tolerance of only 1,000 pounds for gross combination weight and 15% for axle weights.

(d) While operating a combination of vehicles under the authority of an exceptional milk hauling permit issued under subsection (b) of this section, a person may not:

(1) Violate a highway restriction issued by a competent authority;

(2) Operate the combination of vehicles on the interstate highway system, as defined in § 8–101(j) of this article;

(3) Operate the combination of vehicles if the combination of vehicles exceeds any tire weight rating or tire speed restriction adopted under § 25–111 of this article; or

(4) Fail to comply with the terms and conditions of the exceptional milk hauling permit.

(e) While operating a combination of vehicles under the authority of an exceptional milk hauling permit issued under subsection (b) of this section, a person shall have in the person's possession:

(1) The original exceptional milk hauling permit issued for the vehicle; and

(2) For each vehicle in the combination of vehicles, a copy of a valid North American Standard Driver/Vehicle Level 1 inspection report issued within the preceding 180 days that shows no out–of–service violations.

(f) (1) A violation of this section, regulations adopted to implement this section, or the terms and conditions of an exceptional milk hauling permit issued under subsection (b) of this section shall:

(i) Void the authority granted under the exceptional milk hauling permit;

(ii) Subject the vehicle to all weight requirements and tolerances specified in this article; and

(iii) For a violation of a weight restriction specified in this section that exceeds 5,000 pounds, subject the exceptional milk hauling permit to immediate confiscation by an officer or authorized civilian employee of the Department of State Police, an officer of the Maryland Transportation Authority Police, or any police officer.

(2) A person who confiscates an exceptional milk hauling permit under paragraph (1) of this subsection shall immediately notify the State Highway Administration.

(3) On notification of the confiscation of an exceptional milk hauling permit, the State Highway Administration shall review the confiscation, verify the violation of a weight restriction, and, if the State Highway Administration determines that a violation did occur, revoke the permit.

(4) An owner or operator of a combination of vehicles may appeal the revocation of an exceptional milk hauling permit to the State Highway Administrator or the Administrator's designee.

(g) (1) On request from the State Highway Administrator or the Administrator's designee, weight and delivery records of the holder of an exceptional milk hauling permit that are kept in the normal course of business shall be provided by:

(i) The holder of the exceptional milk hauling permit;

(ii) A facility that receives raw liquid milk delivered by a vehicle operating under the authority of an exceptional milk hauling permit; or

(iii) A producer of raw liquid milk having the product transported under the authority of an exceptional milk hauling permit.

(2) If the holder of an exceptional milk hauling permit, a facility that receives raw liquid milk, or a producer of raw liquid milk does not comply with a request under this subsection, the State Highway Administration may:

(i) Suspend the holder's exceptional milk hauling permit; or

(ii) Prohibit a vehicle from picking up from the producer or delivering to the noncompliant facility raw liquid milk under the authority of the exceptional milk hauling permit.

(h) (1) An applicant for an exceptional milk hauling permit shall pay to the State Highway Administration:

(i) $500 for the issuance of a new permit or the annual renewal of a permit;

(ii) $1,000 for the reinstatement of a permit that was revoked under subsection (f)(3) of this section for a first violation; and

(iii) $5,000 for the reinstatement of a permit that was revoked under subsection (f)(3) of this section for a second or subsequent violation within the prior 24 months.

(2) A fee paid under this subsection is nonrefundable.

(i) Except as otherwise provided in this section, an exceptional milk hauling permit is valid for 1 year from the date of issuance.

(j) In consultation with the Secretary of State Police, the State Highway Administration shall adopt regulations to implement this section.**]**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 124 – *Maryland Insurance Administration – Program Evaluation*.

This bill requires that an evaluation under the Maryland Program Evaluation Act of the Maryland Insurance Administration and the statutes and regulations that relate to the Administration be performed on or before July 1, 2018.

Senate Bill 88, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 124.

Sincerely,

Governor

House Bill 124

AN ACT concerning

Maryland Insurance Administration – Program Evaluation

FOR the purpose of requiring that an evaluation under the Maryland Program Evaluation Act of the Maryland Insurance Administration and the statutes and regulations that relate to the Administration be performed on or before a certain date; and generally relating to the Maryland Insurance Administration.

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(32)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(32) Insurance Administration (§§ 2–101 and 2–103 of the Insurance Article: July 1, **[**2012**] 2018**);

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 148 – *Allegany County and Frederick County – Boards of Elections – Membership*.

This bill increases to five the number of regular members and eliminates substitute members on the Allegany County Board of Elections and the Frederick County Board of Elections. The bill also requires the members of the boards to be of specified political parties and requires that a vacancy on the boards be filled in a specified manner.

Senate Bill 163, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 148.

Sincerely,

Governor

House Bill 148

AN ACT concerning

<u>Allegany County and</u> Frederick County – ~~Board~~ <u>Boards</u> of Elections – Membership

FOR the purpose of increasing the number of regular members and eliminating substitute members on <u>the Allegany County Board of Elections and</u> the Frederick County Board of Elections; requiring the members of the ~~board~~ <u>boards</u> to be of certain political parties; requiring that a vacancy on the ~~board~~ <u>boards</u> be filled in a certain manner; making a conforming change; making a stylistic change; <u>providing for the effective date of this Act;</u> and generally

relating to the Allegany County Board of Elections and the Frederick County Board of Elections.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 2–201(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume)
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201(l) and 2–204(b)(2)(ii)
Annotated Code of Maryland
(2010 Replacement Volume)
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Election Law

2–201.

(a) (1) There is a county board of elections in each county of the State.

(2) Each local board and its staff is subject to the direction and authority of the State Board and is accountable to the State Board for its actions in all matters regarding the implementation of the requirements of this article and any applicable federal law.

(b) (1) Except as provided in subsections (j), (k), and (l) of this section, each local board consists of three regular members and two substitute members.

(2) Two regular members and one substitute member shall be of the majority party, and one regular member and one substitute member shall be of the principal minority party.

(3) Except as provided in subsection (l) of this section, in the event of the absence of a regular member or a vacancy in the office of a regular member, the substitute member of the same political party shall exercise the powers and duties of a regular member until the regular member returns or the vacancy is filled as prescribed in subsection (h) of this section.

(l) (1) In **ALLEGANY COUNTY, FREDERICK COUNTY, SOMERSET COUNTY,** Wicomico County, **AND** Worcester County, **[**and Somerset County,**]** the local board consists of five regular members.

(2) Three regular members shall be of the majority party, and two regular members shall be of the principal minority party.

(3) (i) If a vacancy occurs on the local board, the Governor shall appoint an eligible person from the same political party as the predecessor member to fill the vacancy in accordance with subsection (g) of this section for the remainder of the unexpired term and until a successor is appointed and qualifies.

(ii) An appointment made while the Senate of Maryland is not in session shall be considered temporary until the appointee is confirmed by the Senate.

2–204.

(b) (2) (ii) 1. In Baltimore City, a substitute member shall be paid $200 for each meeting that the substitute member attends.

2. In Calvert County, a substitute member shall be paid at least $50 for each meeting that the substitute member attends.

3. **[**In Frederick County, a substitute member shall be paid $4,500 annually.

4.**]** In Garrett County, a substitute member shall be paid the amount set by the County Commissioners under Chapter 91 of the Public Local Laws of Garrett County.

[5.**]4.** In Kent County, a substitute member shall be paid at least $50 for each meeting that the substitute member attends.

[6.**]5.** In Washington County, a substitute member shall be paid $75 for each meeting that the substitute member attends.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1~~ June 6, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 201 – *Garrett County – Vacancy in Office of County Commissioner – Appointment Process*.

This bill alters the procedures for filling a vacancy in an office of county commissioner in Garrett County by requiring the Governor to use procedures required for other commission counties, subject to the requirement that in Garrett County the nominee or appointee reside in the same commissioner district in which the former county commissioner resided.

Senate Bill 253, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 201.

Sincerely,

Governor

House Bill 201

AN ACT concerning

Garrett County – Vacancy in Office of County Commissioner – Appointment Process

FOR the purpose of altering the procedures for filling a vacancy in an office of county commissioner in Garrett County by requiring the Governor to use procedures required for other commission counties, subject to the requirement that in Garrett County the nominee or appointee reside in the same commissioner district in which the former county commissioner resided; and generally relating to procedures for filling a vacancy in an office of county commissioner in Garrett County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 16
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)
(As enacted by Chapter 699 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 30.02(D)
Article 12 – Public Local Laws of Maryland

(2005 Edition and November 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 25 – County Commissioners

16.

(a) This section applies only to commission counties and, unless otherwise provided by a local law enacted by a code county, code counties.

(b) (1) In case any office of county commissioner shall become vacant in any county by death, resignation or otherwise, the Governor, if such vacancy shall occur during the session of the Senate, shall, by and with the advice and consent of the Senate, appoint, and if such vacancy shall occur during the recess of the Senate, the Governor shall appoint a proper person or proper persons to fill such vacancy or vacancies; and the nomination of the person or persons thus appointed during such recess, or of some other person in his or their place, shall be made to the Senate within thirty days after the next meeting of the legislature.

(2) **(I)** **[**The**]** **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH THE** Governor shall nominate or appoint the person to fill such vacancy whose name shall be submitted to the Governor in writing by the central committee of the political party with which the county commissioner, so vacating, has been affiliated in the particular county, provided that the nominee or appointee shall be of the same political party as the person whose office is to be filled; and it shall be the duty of the Governor to make the nomination or appointment within fifteen days after the submission of the name of the nominee or appointee to the Governor.

(II) IN GARRETT COUNTY, THE NOMINEE OR APPOINTEE SHALL BE A RESIDENT OF THE SAME COMMISSIONER DISTRICT IN WHICH THE FORMER COUNTY COMMISSIONER RESIDED.

(3) In the event there is no central committee in the county in which the vacancy occurs, the Governor shall appoint to fill the vacancy a person who has all the qualifications required for the office of county commissioner in the particular county.

(4) As to Allegany County, if there is no resident Senator from Allegany County in the Senate of Maryland at the time of the appointment, it shall be by and with the advice and consent of the House of Delegates of Maryland.

Article 12 – Garrett County

30.02.

(D) If the office of any of the County Commissioners becomes vacant during the term, the Governor shall **[**appoint a proper person to**]** fill the vacancy **[**from among the residents of the same Commissioner District as that in which the former Commissioner resided**]** **AS PROVIDED IN ARTICLE 25, § 16 OF THE ANNOTATED CODE OF MARYLAND**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 237 – *Baltimore City – Zoning Requirements – Administrative Adjustments*.

This bill expands the applicability to Baltimore City of specified provisions related to administrative adjustments to specified zoning requirements.

Senate Bill 302, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 237.

Sincerely,

Governor

House Bill 237

AN ACT concerning

Baltimore City – Zoning Requirements – Administrative Adjustments

FOR the purpose of ~~clarifying~~ expanding the applicability to Baltimore City of certain provisions related to administrative adjustments to certain zoning

requirements; and generally relating to administrative adjustments to zoning requirements in Baltimore City.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 2.13
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 4.05(d)
Annotated Code of Maryland
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 66B – Land Use

2.13.

(a) Except as provided in subsection (b) of this section, §§ 3.01 through 8.15 of this article do not apply in Baltimore City.

(b) The following sections of this article apply to Baltimore City:

(1) § 1.00(j) (Definition of "sensitive areas");

(2) § 1.01 (Visions);

(3) § 1.02 (Consistency with comprehensive plans);

(4) § 1.04 (Charter county – Comprehensive plans);

(5) § 3.02(h) (Planning Commission – Education);

(6) § 3.09 (Annual report – Preparation and filing);

(7) § 3.10 (Annual report – Smart Growth goals, measures, and indicators);

(8) § 4.01(b)(2) (Regulation of bicycle parking);

(9) § 4.04(c) (Exceptions related to the Maryland Accessibility Code);

(10) **§ 4.05(D) (ADMINISTRATIVE ADJUSTMENTS TO ZONING REQUIREMENTS);**

(11) § 4.07(i) (Board of Appeals – Education);

[(11)**] (12)** § 5.03(d) (Easements for burial sites);

[(12)**] (13)** § 7.02 (Civil penalty for zoning violation);

[(13)**] (14)** § 10.01 (Adequate Public Facilities Ordinances);

[(14)**] (15)** § 11.01 (Transfer of Development Rights);

[(15)**] (16)** § 12.01 (Inclusionary Zoning); and

[(16)**] (17)** § 13.01 (Development Rights and Responsibilities Agreements).

4.05.

(d) (1) A local legislative body may authorize the planning director or another designee to grant administrative adjustments from the following requirements in a zoning ordinance enacted by the local legislative body:

(i) Local height requirements;

(ii) Local setback requirements;

(iii) Local bulk requirements;

(iv) Local parking requirements;

(v) Local loading, dimensional, or area requirements; or

(vi) Similar local requirements.

(2) Before developing criteria and procedures for administrative adjustments under this subsection, the local legislative body shall:

(i) Consult with the planning commission and the board of appeals; and

(ii) Provide:

1. Reasonable public notice of the proposed criteria and procedures;

2. An opportunity for public hearing; and

3. An opportunity for public review and comment.

(3) The criteria for an administrative adjustment shall include:

(i) Standards for actions on requests;

(ii) Standards for the classes of development that are eligible for an administrative adjustment; and

(iii) The maximum variation from a zoning requirement that is allowed under an administrative adjustment.

(4) Procedures for administrative adjustments may include:

(i) Applications;

(ii) Notice to the public and to the parties in interest;

(iii) An opportunity for public hearing;

(iv) An opportunity for the taking of testimony and evidence; and

(v) Decision making.

(5) A decision on an application for an administrative adjustment shall include written findings of fact.

(6) By the enactment of an ordinance or the adoption of a procedure, a local legislative body may authorize the appeal to the board of appeals of a decision to approve or deny an administrative adjustment.

(7) Nothing in this subsection is intended to authorize a local government to permit an administrative adjustment to State or local requirements that are intended to protect environmentally sensitive areas, such as streams, slopes, wetlands, natural heritage areas, or critical areas.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 253 – *Motor Fuel Tax – Personal Liability – Limited Liability Companies and Limited Liability Partnerships*.

This bill establishes personal liability of persons who exercise specified control over the fiscal management of limited liability companies and limited liability partnerships for payment of the motor fuel tax, interest, and penalties.

Senate Bill 145, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 253.

Sincerely,

Governor

House Bill 253

AN ACT concerning

Motor Fuel Tax – Personal Liability – ~~Corporations,~~ Limited Liability Companies~~,~~ and Limited Liability Partnerships

FOR the purpose of establishing personal liability of certain ~~officers of corporations, members~~ persons who exercise certain control over the fiscal management of limited liability companies~~, partners of~~ and limited liability partnerships~~, and other individuals~~ for payment of the motor fuel tax, interest, and penalties under certain circumstances; and generally relating to liability for the payment of motor fuel taxes.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–314
Annotated Code of Maryland
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – General

9–314.

(a) The motor fuel tax on gasoline shall be paid by:

(1) the licensed Class B dealer who first receives gasoline imported into the State;

(2) any other dealer who:

(i) uses the gasoline; or

(ii) first sells the gasoline in this State to a buyer other than a licensed dealer authorized to acquire gasoline, in accordance with § 9–322 of this subtitle, without paying the motor fuel tax; or

(3) any other person who acquires gasoline on which the motor fuel tax has not been paid.

(b) The motor fuel tax on special fuel other than turbine fuel shall be paid by:

(1) a special fuel seller who delivers that special fuel into a tank from which a motor vehicle can be fueled unless the person who uses or resells the special fuel has an exemption certificate that authorizes the person to acquire special fuel, in accordance with § 9–322 of this subtitle, without paying the motor fuel tax;

(2) a special fuel user who uses that special fuel in a motor vehicle that is owned or operated by the special fuel user and registered to operate on a public highway; or

(3) any other person who acquires that special fuel unless:

(i) the motor fuel tax on that special fuel has been paid; or

(ii) the person has an exemption certificate that authorizes the person to acquire special fuel, in accordance with § 9–322 of this subtitle, without paying the motor fuel tax.

(c) The motor fuel tax on turbine fuel shall be paid by:

(1) the turbine fuel seller who delivers the turbine fuel into the fuel supply tank of a turbine–powered aircraft; or

(2) any other person who acquires turbine fuel on which motor fuel tax has not been paid unless the person has an exemption certificate that authorizes the

person to acquire turbine fuel, in accordance with § 9–322 of this subtitle, without paying the motor fuel tax.

(d) A person required to pay motor fuel tax under this section shall pay it with the return that covers the period in which the person received, sold, or used the motor fuel.

(e) **[**If a corporation, other than a nonstock, not for profit corporation, is required to pay motor fuel tax, personal liability for the tax and interest and penalties on the tax extends to any officer of the corporation who exercises direct control over its fiscal management.**]** ~~**IF A PERSON LIABLE FOR MOTOR FUEL TAX AND FOR THE INTEREST AND PENALTIES OF THE TAX IS A CORPORATION, OTHER THAN A NONSTOCK, NOT–FOR–PROFIT CORPORATION, OR IS A LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP (INCLUDING A LIMITED PARTNERSHIP REGISTERED AS A LIMITED LIABILITY LIMITED PARTNERSHIP), PERSONAL LIABILITY FOR THE MOTOR FUEL TAX AND FOR THE INTEREST AND PENALTIES OF THE TAX EXTENDS TO:**~~

~~**(1) IN THE CASE OF A CORPORATION:**~~

~~**(I) THE PRESIDENT, VICE–PRESIDENT, OR TREASURER OF THE CORPORATION; AND**~~

~~**(II) ANY OFFICER OF THE CORPORATION WHO DIRECTLY OR INDIRECTLY OWNS MORE THAN 20% OF THE STOCK OF THE CORPORATION; AND**~~

~~**(2) IN THE CASE OF A LIMITED LIABILITY COMPANY:**~~

~~**(I) IF THE LIMITED LIABILITY COMPANY DOES NOT HAVE AN OPERATING AGREEMENT, ALL MEMBERS; OR**~~

~~**(II) IF THE LIMITED LIABILITY COMPANY HAS AN OPERATING AGREEMENT, THOSE INDIVIDUALS WHO MANAGE THE BUSINESS AND AFFAIRS OF THE LIMITED LIABILITY COMPANY; AND**~~

~~**(3) IN THE CASE OF A LIMITED LIABILITY PARTNERSHIP:**~~

~~**(I) IF THE LIMITED LIABILITY PARTNERSHIP DOES NOT HAVE A WRITTEN PARTNERSHIP AGREEMENT, ALL GENERAL PARTNERS; OR**~~

~~**(II) IF THE LIMITED LIABILITY PARTNERSHIP HAS A WRITTEN PARTNERSHIP AGREEMENT, THOSE INDIVIDUALS WHO MANAGE THE BUSINESS AND AFFAIRS OF THE LIMITED LIABILITY PARTNERSHIP.**~~

~~(F) A MEMBER OF A LIMITED LIABILITY COMPANY DOES NOT MANAGE THE BUSINESS AND AFFAIRS OF THE LIMITED LIABILITY COMPANY UNDER SUBSECTION (E) OF THIS SECTION SOLELY BY DOING ONE OR MORE OF THE FOLLOWING:~~

~~(1) CONSULTING WITH OR ADVISING THE INDIVIDUALS WHO MANAGE THE BUSINESS AND AFFAIRS OF THE LIMITED LIABILITY COMPANY;~~

~~(2) DIRECTING THE MANAGEMENT OF THE LIMITED LIABILITY COMPANY IN THE SAME MANNER AS A DIRECTOR OF A CORPORATION DIRECTS THE MANAGEMENT OF A CORPORATION; OR~~

~~(3) VOTING ON ANY MATTER REQUIRED TO BE VOTED ON BY THE MEMBERS OF THE LIMITED LIABILITY COMPANY, INCLUDING, BUT NOT LIMITED TO:~~

~~(I) THE APPROVAL OR DISAPPROVAL OF AMENDMENTS TO THE OPERATING AGREEMENT;~~

~~(II) THE TERMINATION AND WINDING UP OF THE LIMITED LIABILITY COMPANY;~~

~~(III) THE SALE, EXCHANGE, LEASE, MORTGAGE, PLEDGE, OR OTHER TRANSFER OF A MATERIAL PORTION OF THE ASSETS OF THE LIMITED LIABILITY COMPANY;~~

~~(IV) THE INCURRENCE OF INDEBTEDNESS BY THE LIMITED LIABILITY COMPANY OTHER THAN IN THE ORDINARY COURSE OF ITS BUSINESS;~~

~~(V) A CHANGE IN THE NATURE OF THE BUSINESS OF THE LIMITED LIABILITY COMPANY;~~

~~(VI) THE EXPULSION OR ADMISSION OF A MEMBER;~~

~~(VII) THE APPOINTMENT OR DISCHARGE OF A MANAGER;~~

~~(VIII) THE MERGER OF THE LIMITED LIABILITY COMPANY WITH OR INTO ANY OTHER ENTITY; OR~~

~~(IX) ANY MATTER RELATED TO THE BUSINESS OF THE LIMITED LIABILITY COMPANY NOT OTHERWISE ENUMERATED IN THIS SECTION THAT THE OPERATING AGREEMENT STATES MAY BE SUBJECT TO THE APPROVAL OR DISAPPROVAL OF THE MEMBERS.~~

~~(G) THE POSSESSION OR EXERCISE OF POWERS OTHER THAN THOSE CONTAINED IN SUBSECTION (F) OF THIS SECTION BY A MEMBER DOES NOT NECESSARILY CONSTITUTE MANAGEMENT BY THE MEMBER OF THE BUSINESS OR AFFAIRS OF THE LIMITED LIABILITY COMPANY.~~

~~(H) THE SAME RULES AND EXCEPTIONS APPLICABLE TO A MEMBER OF A LIMITED LIABILITY COMPANY SET FORTH IN SUBSECTIONS (F) AND (G) OF THIS SECTION SHALL BE APPLICABLE TO INDIVIDUALS AND MEMBERS OF LIMITED LIABILITY PARTNERSHIPS.~~

(F) IF A LIMITED LIABILITY COMPANY, OR LIMITED LIABILITY PARTNERSHIP, INCLUDING A LIMITED PARTNERSHIP REGISTERED AS A LIMITED LIABILITY LIMITED PARTNERSHIP, IS REQUIRED TO PAY THE MOTOR FUEL TAX AND INTEREST AND PENALTIES ON THE TAX, PERSONAL LIABILITY FOR THE TAX AND INTEREST AND PENALTIES ON THE TAX EXTENDS TO ANY PERSON WHO EXERCISES DIRECT CONTROL OVER THE FISCAL MANAGEMENT OF THE LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 18, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 262 – *Frederick County – Nonprofit School Lease – Property Tax Credit*.

House Bill 262 requires Frederick County or a municipality in the county to grant a property tax credit for property leased to a nonprofit school and used exclusively for primary or secondary educational purposes. Furthermore, the bill requires the lessor of real property eligible for the property tax credit to reduce the amount of taxes for which a nonprofit school is contractually liable under the lease agreement by the amount of the property tax credit.

According to the sponsors, the bill was intended to exempt public charter schools in Frederick County from having to pay property taxes on property leased by a school from a private owner. Presently, the Monocacy Valley Montessori Public Charter School which is located in the City of Frederick would be eligible for the proposed property tax credit. As amended, however, the bill grants a property tax exemption to all private schools that lease property in Frederick County, not just charter schools.

The sponsors of House Bill 262 and the entire Frederick County Delegation have requested that I veto the legislation because the property tax exemption in the bill was not intended to cover all private schools. The Frederick County Board of Commissioners is also seeking a veto of the bill. The sponsors correctly point out that Senate Bill 609, which I will sign into law on May 19, 2011, exempts any portion of a building or property occupied and used by a public charter school from property taxes. According to the Attorney General's Office, this exemption would apply to the Monocacy Valley Montessori School and any new charter schools in Frederick County, so the exemption required under House Bill 262 is unnecessary.

Therefore, because the statewide property tax exemption contained in Senate Bill 609 meets the intended policy objectives of House Bill 262, I am hereby vetoing this legislation.

Sincerely,

Governor

House Bill 262

AN ACT concerning

Frederick County – ~~Public~~ Nonprofit School Lease – Property Tax Credit

FOR the purpose of requiring rather than authorizing Frederick County to grant, by law, a property tax credit for real property leased to ~~the Frederick County Board of County Commissioners or to the Frederick County Board of Education~~ a nonprofit school and used exclusively for ~~public school~~ primary or secondary educational purposes; requiring a lessor of real property eligible for a certain tax credit to reduce the amount of taxes for which the tenant is contractually liable under the lease; and providing for the application of this Act.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~9–312(d)~~ 9–312(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – Property

9–312.

~~(d) The governing body of Frederick County and of a municipal corporation in Frederick County [may] SHALL grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on real property that is:~~

~~(1) leased to the Frederick County Board of County Commissioners or to the Frederick County Board of Education; and~~

~~(2) used exclusively for public school educational purposes.~~

(e) **(1)** The governing body of Frederick County and of a municipal corporation in Frederick County **[**may**]** **SHALL** grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on real property that is:

[(1)**]** **(I)** leased to a nonprofit school; and

[(2)**]** **(II)** used exclusively for primary or secondary educational purposes.

(2) THE LESSOR OF REAL PROPERTY ELIGIBLE FOR A CREDIT UNDER THIS SUBSECTION SHALL REDUCE THE AMOUNT OF TAXES FOR WHICH A TENANT IS CONTRACTUALLY LIABLE UNDER THE LEASE AGREEMENT BY THE AMOUNT OF ANY CREDIT ALLOWED UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011, and shall be applicable to all taxable years beginning after June 30, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 275 – *Public Utilities – Net Energy Metering – Hydroelectric*.

This bill includes in the definition of eligible customer–generators that are eligible for net energy metering a customer that uses a specified type of hydroelectric generating facility and defines "closed conduit hydro".

Senate Bill 271, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 275.

Sincerely,

Governor

House Bill 275

AN ACT concerning

Public Utilities – Net Energy Metering – Hydroelectric

FOR the purpose of including in the definition of eligible customer–generators that are eligible for net energy metering a customer that uses a certain type of hydroelectric generating facility; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–306(a)
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–306(b)
Annotated Code of Maryland
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Utilities

7–306.

(a) (1) In this section the following words have the meanings indicated.

(2) "Biomass" means "qualified biomass" as defined in § 7–701 of this title.

(3) **"CLOSED CONDUIT HYDRO" MEANS A HYDROELECTRIC GENERATING FACILITY THAT:**

(I) GENERATES ELECTRICITY WITHIN EXISTING PIPING OR LIMITED ADJACENT PIPING OF A POTABLE WATER SUPPLY SYSTEM;

(II) IS OWNED OR OPERATED BY A MUNICIPAL CORPORATION OR PUBLIC WATER AUTHORITY; AND

(III) IS DESIGNED TO PRODUCE LESS ENERGY THAN IS CONSUMED TO OPERATE THE WATER SUPPLY SYSTEM.

(4) "Eligible customer–generator" means a customer that owns and operates, leases and operates, or contracts with a third party that owns and operates a biomass, micro combined heat and power, solar, fuel cell, **[**or**]** wind**, OR CLOSED CONDUIT HYDRO** electric generating facility that:

(i) is located on the customer's premises or contiguous property;

(ii) is interconnected and operated in parallel with an electric company's transmission and distribution facilities; and

(iii) is intended primarily to offset all or part of the customer's own electricity requirements.

[(4)**] (5)** "Fuel cell" means an electric generating facility that:

(i) includes integrated power plant systems containing a stack, tubular array, or other functionally similar configuration used to electrochemically convert fuel to electric energy; and

(ii) may include:

1. an inverter and fuel processing system; and

2. other plant equipment to support the plant's operation or its energy conversion, including heat recovery equipment.

[(5)**] (6)** "Generation credit" means a credit associated with the generation of electricity produced in excess of the electricity consumed by an eligible customer–generator in one billing period.

[(6)**] (7)** "Micro combined heat and power" means the simultaneous or sequential production of useful thermal energy and electrical or mechanical power not exceeding 30 kilowatts.

[(7)**] (8)** "Net energy metering" means measurement of the difference between the electricity that is supplied by an electric company and the electricity that is generated by an eligible customer–generator and fed back to the electric grid over the eligible customer–generator's billing period.

(b) The General Assembly finds and declares that a program to provide net energy metering for eligible customer–generators is a means to encourage private investment in renewable energy resources, stimulate in–State economic growth, enhance continued diversification of the State's energy resource mix, and reduce costs of interconnection and administration.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 335 – *State Retirement and Pension System – Military Service Credit – Eligibility*.

This bill alters the criteria used to determine the eligibility of a member of the State Retirement and Pension System to receive service credit for military service so as to require 10 years of service credit in the State Retirement and Pension System through employment as a member of a State system.

Senate Bill 356, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 335.

Sincerely,

Governor

House Bill 335

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

FOR the purpose of altering the criteria used to determine the eligibility of certain members of the State Retirement and Pension System to receive service credit for military service so as to require a certain amount of service credit in the State Retirement and Pension System in a certain manner; and generally relating to eligibility criteria for certain members of the State Retirement and Pension System to receive service credit for military service.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–104(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

38–104.

(b) Except as provided in subsection (c) of this section, an individual described in subsection (a) of this section, who has not met the conditions set forth in § 38–103(a)(2) through (4) of this subtitle, is entitled to receive service credit for military service only on the attainment of 10 years of **[**creditable**]** service **CREDIT EARNED THROUGH EMPLOYMENT AS A MEMBER OF A STATE SYSTEM**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 338 – *State Retirement and Pension System – Unclaimed Money – Former Members, Retirees, and Beneficiaries*.

This bill authorizes the State Retirement Agency to post the names of former members, retirees, or beneficiaries of former members or retirees of the State Retirement and Pension System and the last participating employer of the former members or retirees on the State Retirement Agency's Web site if the former members, retirees, or beneficiaries are entitled to unclaimed money from the State Retirement and Pension System.

Senate Bill 359, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 338.

Sincerely,

Governor

House Bill 338

AN ACT concerning

State Retirement and Pension System – Unclaimed Money – Former Members, Retirees, and Beneficiaries

FOR the purpose of authorizing the State Retirement Agency to publish the names of certain former members, retirees, or beneficiaries of former members or retirees of the State Retirement and Pension System and the names of certain participating employers in a certain manner, if the individuals are entitled to certain money from the State Retirement and Pension System; and generally relating to notifying former members, retirees, and beneficiaries of the State Retirement and Pension System of unclaimed money due the individuals.

BY adding to
Article – State Personnel and Pensions
Section 21–506
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

21–506.

(A) THIS SECTION APPLIES TO A FORMER MEMBER, RETIREE, OR A BENEFICIARY OF A DECEASED FORMER MEMBER OR RETIREE OF A STATE SYSTEM WHO:

(1) IS ENTITLED TO A REFUND OF ACCUMULATED CONTRIBUTIONS AND HAS MADE NO CLAIM FOR THOSE CONTRIBUTIONS; OR

(2) IS CURRENTLY ELIGIBLE TO RECEIVE A VESTED ALLOWANCE AND HAS NOT FILED AN APPLICATION FOR THE VESTED ALLOWANCE.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE STATE RETIREMENT AGENCY MAY POST THE NAMES OF THE INDIVIDUALS DESCRIBED IN SUBSECTION (A) OF THIS SECTION AND THE NAMES OF THE LAST PARTICIPATING EMPLOYER OF THE FORMER MEMBERS OR RETIREES ON THE STATE RETIREMENT AGENCY'S WEB SITE OR OTHERWISE PUBLISH THE NAMES OF THE INDIVIDUALS AND EMPLOYERS FOR THE PURPOSE OF NOTIFYING THE INDIVIDUALS THAT THEY HAVE UNCLAIMED MONEY HELD BY THE STATE RETIREMENT AGENCY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 361 – *State Board of Master Electricians – Sunset Extension and Revision.*

This bill continues the State Board of Master Electricians in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a specified date the termination provisions relating to the statutory and regulatory authority of the State Board. This bill also requires the State Board to adopt regulations to establish continuing education requirements and conditioning the

ability to renew a specified license on compliance with specified continuing education requirements.

Senate Bill 235, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 361.

Sincerely,

Governor

House Bill 361

AN ACT concerning

State Board of Master Electricians – Sunset Extension and Revision

FOR the purpose of continuing the State Board of Master Electricians in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the State Board; requiring the State Board to adopt regulations to establish continuing education requirements; conditioning the ability to renew a certain license on compliance with certain continuing education requirements; requiring that an evaluation of the State Board and the statutes and regulations that relate to the State Board be performed on or before a certain date; requiring the State Board, in conjunction with the Department of Labor, Licensing, and Regulation, to submit a certain report on or before a certain date; and generally relating to the State Board of Master Electricians.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6–205, 6–310(c), and 6–702
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(18)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

6–205.

In addition to any powers and duties set forth elsewhere, the State Board shall:

(1) twice a year hold a seminar and invite members from each local licensing jurisdiction to discuss any industry or licensing problems; and

(2) adopt regulations to establish:

(i) application and examination fees; **[**and**]**

(II) CONTINUING EDUCATION REQUIREMENTS; AND

[(ii)**]** **(III)** application deadlines.

6–310.

(c) Before a State license expires, the State licensee periodically may renew it for an additional 2–year term, if the State licensee:

(1) otherwise is entitled to be licensed;

(2) pays to the State Board a renewal fee of $25; **[**and**]**

(3) COMPLIES WITH CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY THE STATE BOARD IN REGULATION; AND

[(3)**]** **(4)** submits to the State Board a renewal application on the form that the State Board provides.

6–702.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, **[**2013**]** **2023**.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(18) Electricians, State Board of Master (§ 6–201 of the Business Occupations and Professions Article: July 1, **[**2012**] 2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Board of Master Electricians, in conjunction with the Department of Labor, Licensing, and Regulation, shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on the status of nonstatutory alternative recommendations contained in the Sunset Review: Evaluation of the State Board of Master Electricians conducted by the Department of Legislative Services, specifically:

(1) the enforcement of the reporting requirements established under Chapter 163 of the Acts of 2002;

(2) the implementation of continuing education requirements for master electricians;

(3) the findings of the Division of Occupational and Professional Licensing on appropriate membership of the State Board of Master Electricians, including whether it remains feasible to have three consumer member positions; and

(4) whether to limit the number of employees that may work under a qualified license.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 393 – *Somerset County – Smith Island Solid Waste District – Remove Limitation on Fee.*

This bill repeals limitations on the amount of the solid waste removal fee imposed on property in the Smith Island Solid Waste District in Somerset County.

Senate Bill 569, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 393.

Sincerely,

Governor

House Bill 393

AN ACT concerning

Somerset County – Smith Island Solid Waste District – Remove Limitation on Fee

FOR the purpose of repealing certain limitations on the amount of the solid waste disposal fee imposed on certain property in the Smith Island Solid Waste District in Somerset County; making this Act an emergency measure; and generally relating to the solid waste removal fee imposed in the Smith Island Solid Waste District in Somerset County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Somerset County
Section 8–201
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 20 – Somerset County

8–201.

(a) The County Commissioners by ordinance may designate that part of Smith Island in Somerset County as a solid waste district for the sole purpose of imposing an annual fee on improved property on Smith Island to offset the cost of

removing solid waste, including ash and other residue from the County's incinerator, from Smith Island.

(b) **[**(1)**]** A fee imposed by ordinance under this section shall be compatible to the costs incurred by other property owners in Somerset County for disposal of solid waste.

[(2) The annual fee imposed under this section may not exceed:

(i) $50 for improved, residential property; or

(ii) $100 for other improved property.**]**

(c) (1) The County Commissioners may:

(i) Include the fee as a separate item on the County tax bill; or

(ii) Mail a separate bill to the owner of the property as shown on County tax rolls.

(2) A fee imposed under this section shall constitute a lien on the property and may be collected in the same manner as property taxes may be collected.

(3) A fee not paid by the date set by the County Commissioners and indicated on the bill shall be subject to interest charges at the same rate of interest as overdue property taxes.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 406 – *Washington County – Water and Sewer Debt Reduction Fund – Conococheague Industrial Pretreatment Facility*.

This bill repeals specified provisions of law relating to the Washington County Water and Sewer Debt Reduction Fund and requires the County Commissioners of Washington County to ensure service of the debt for the Conococheague Industrial Pretreatment Facility from the Washington County general fund and revenues generated by the pretreatment facility. This bill prohibits the County Commissioners from using the debt service costs for the facility as a factor in the establishment or adjustment of water and sewer rates.

Senate Bill 392, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 406.

Sincerely,

Governor

House Bill 406

AN ACT concerning

Washington County – Water and Sewer Debt Reduction Fund – ~~Repeal~~ Conococheague Industrial Pretreatment Facility

FOR the purpose of repealing certain provisions of law relating to the Washington County Water and Sewer Debt Reduction Fund; requiring the County Commissioners of Washington County to ensure service of the debt for the ~~Washington County pretreatment facility~~ Conococheague Industrial Pretreatment Facility from the Washington County general fund and revenues generated by the pretreatment facility; prohibiting the County Commissioners from using the costs of debt service for the ~~Washington County pretreatment facility~~ Conococheague Industrial Pretreatment Facility as a factor in the establishment or adjustment of water and sewer rates in the County; and generally relating to the Washington County Water and Sewer Debt Reduction Fund and the debt service for the ~~Washington County pretreatment facility~~ Conococheague Industrial Pretreatment Facility.

BY repealing
The Public Local Laws of Washington County
Section 6–505
Article 22 – Public Local Laws of Maryland
(2007 Edition and October 2010 Supplement, as amended)

BY adding to

The Public Local Laws of Washington County
Section 6–505
Article 22 – Public Local Laws of Maryland
(2007 Edition and October 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 22 – Washington County

[6–505.

(a) There is a Washington County Water and Sewer Debt Reduction Fund.

(b) The Fund is a continuous, nonlapsing fund.

(c) (1) The County Commissioners shall annually appropriate $500,000 to the Fund.

(2) The appropriation shall be in addition to funds appropriated for any subsidy for Washington County water, sewer, and pretreatment facilities.

(3) The appropriation may not be construed to replace or reduce any existing subsidy for Washington County water, sewer, and pretreatment facilities.

(4) The amount of any reduction in any existing subsidy for Washington County water, sewer, and pretreatment facilities that reduces the existing subsidy below the subsidy for Fiscal Year 2000 shall be appropriated to the Fund.

(d) All profits of the Conococheague Industrial Pretreatment Facility shall be deposited in the Fund.**]**

6–505.

(A) THE COUNTY COMMISSIONERS SHALL ENSURE SERVICE OF THE DEBT FOR THE ~~WASHINGTON COUNTY PRETREATMENT FACILITY~~ <u>CONOCOCHEAGUE INDUSTRIAL PRETREATMENT FACILITY</u> FROM THE GENERAL FUND OF THE COUNTY AND FROM THE REVENUES GENERATED BY THE PRETREATMENT FACILITY.

(B) THE COUNTY COMMISSIONERS MAY NOT USE THE COSTS OF DEBT SERVICE FOR THE ~~WASHINGTON COUNTY PRETREATMENT FACILITY~~ <u>CONOCOCHEAGUE INDUSTRIAL PRETREATMENT FACILITY</u> AS A FACTOR IN THE ESTABLISHMENT OR ADJUSTMENT OF WATER AND SEWER RATES IN THE COUNTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 413 – *Washington County – Alcoholic Beverages – Wine Festival License*.

This bill establishes a special wine festival (WF) license in Washington County and requires that an applicant for a special WF license must be a holder of another license. This bill specifies that a holder of a special WF license may display and sell wine in a specified manner and provide for a $20 license fee. This bill also authorizes the Washington County Board of License Commissioners to choose 2 weekends annually for wine festivals and requires the Board to choose specified locations for the wine festivals.

Senate Bill 391, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 413.

Sincerely,

Governor

House Bill 413

AN ACT concerning

Washington County – Alcoholic Beverages – Wine Festival License

FOR the purpose of establishing a special wine festival (WF) license in Washington County; requiring that an applicant for a special WF license must be a holder of a certain other license; specifying that a holder of a special WF license may display and sell wine in a certain manner; requiring the Washington County Board of License Commissioners to assure that the primary focus of the Festival is the promotion of Maryland wine; requiring a holder of a special WF license to

display and sell certain wine; providing for a license fee; providing that this Act does not prohibit the holder of a special WF license from holding another alcoholic beverages license; authorizing the Board to choose certain weekends for festivals; requiring the Board to choose certain locations for the festivals; requiring the Board to adopt certain regulations; defining certain terms; and generally relating to wine in Washington County.

BY renumbering
Article 2B – Alcoholic Beverages
Section 8–313.1
to be Section 8–313.2
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–313.1
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8–313.1 of Article 2B – Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s) 8–313.2.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

8–313.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "BOARD" MEANS THE WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS.

(3) "FESTIVAL" MEANS THE WASHINGTON COUNTY WINE FESTIVAL.

(B) THIS SECTION APPLIES ONLY IN WASHINGTON COUNTY.

(C) THE BOARD MAY ISSUE A SPECIAL WINE FESTIVAL (WF) LICENSE.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, TO BE ELIGIBLE FOR A SPECIAL WF LICENSE, AN APPLICANT MUST BE A HOLDER

OF AN EXISTING STATE RETAIL ALCOHOLIC BEVERAGES LICENSE, A STATE CLASS 3 WINERY LICENSE, OR A STATE CLASS 4 LIMITED WINERY LICENSE.

(E) A SPECIAL WF LICENSE ENTITLES THE HOLDER TO DISPLAY AND SELL AT RETAIL WINE FOR CONSUMPTION ON OR OFF THE PREMISES ON THE DAYS AND FOR THE HOURS DESIGNATED FOR THE FESTIVAL IN THE COUNTY.

(F) (1) THE BOARD SHALL ASSURE THAT THE PRIMARY FOCUS OF THE FESTIVAL IS THE PROMOTION OF MARYLAND WINE.

(2) A HOLDER OF A SPECIAL WF LICENSE SHALL DISPLAY AND SELL WINE THAT IS DISTRIBUTED IN THE STATE.

(G) THE SPECIAL WF LICENSE FEE IS $20.

(H) THIS SECTION DOES NOT PROHIBIT THE HOLDER OF A SPECIAL WF LICENSE FROM HOLDING ANOTHER ALCOHOLIC BEVERAGES LICENSE OF A DIFFERENT CLASS OR NATURE.

(I) THE BOARD MAY CHOOSE 2 WEEKENDS ANNUALLY FOR THE FESTIVALS.

(J) THE BOARD SHALL CHOOSE LOCATIONS IN THE COUNTY FOR THE FESTIVALS THAT ARE NOT LICENSED UNDER THIS ARTICLE.

(K) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 421 – *Somerset County – Deputy State's Attorney – Private Practice*.

This bill repeals a prohibition against the deputy State's Attorney of Somerset County engaging in the private practice of law and makes the Act an emergency measure.

Senate Bill 383, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 421.

Sincerely,

Governor

House Bill 421

AN ACT concerning

Somerset County – Deputy State's Attorney – Private Practice

FOR the purpose of repealing a prohibition against the deputy State's Attorney for Somerset County engaging in the private practice of law; making this Act an emergency measure; and generally relating to the deputy State's Attorney in Somerset County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–420
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Criminal Procedure

15–420.

(a) This section applies only in Somerset County.

(b) The State's Attorney's salary is $98,000.

(c) (1) The State's Attorney may appoint a deputy State's Attorney who shall:

(i) serve at the pleasure of the State's Attorney; and

(ii) present cases to the grand jury, sign indictments and criminal informations, and perform other functions necessary to the operation of the office and as directed by the State's Attorney or as authorized by law.

(2) The county commissioners shall set a salary for the deputy State's Attorney that may not exceed the salary of the State's Attorney.

(d) The State's Attorney may:

(1) appoint one or more assistants at salaries that the county commissioners set; and

(2) hire one or more investigators at salaries provided in the county budget.

(e) The State's Attorney **[**and deputy State's Attorney**]** may not engage in the private practice of law.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 461 – *Income Tax Credit – Teachers at State and Local Correctional Facilities for Adults and Juveniles*.

This bill alters a credit against the State income tax for up to $1,500 of tuition costs of teachers to include teachers at State or local correctional facilities and juvenile facilities. This bill provides that a teacher at a State or local correctional facility or juvenile facilities who is reimbursed for the tuition may not claim the credit for the amount of tuition that is reimbursed.

Senate Bill 494, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 461.

Sincerely,

Governor

House Bill 461

AN ACT concerning

Income Tax Credit – Teachers at State and Local Correctional Facilities for Adults and Juveniles

FOR the purpose of altering a credit against the State income tax for certain tuition costs of certain teachers to include teachers at ~~a~~ State or local correctional ~~facility for adults or juveniles~~ facilities and certain juvenile facilities; providing that a teacher at a State or local correctional facility or certain juvenile facilities who is reimbursed ~~by the State or a county~~ for the tuition may not claim the credit for the amount of tuition that is reimbursed; providing for the application of this Act; and generally relating to a State income tax credit for certain tuition paid by a teacher at ~~a~~ State or local correctional ~~facility for adults or juveniles~~ facilities and certain juvenile facilities.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–717
Annotated Code of Maryland
(2010 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – General

10–717.

(a) An individual who is a classroom teacher **OR A TEACHER AT A STATE OR LOCAL CORRECTIONAL FACILITY** ~~FOR ADULTS OR JUVENILES holding~~ **OR A JUVENILE FACILITY LISTED IN § 9–226 OF THE HUMAN SERVICES ARTICLE AND WHO HOLDS** a standard professional certificate or an advanced professional certificate may claim a credit against the State income tax for up to $1,500 of tuition paid by the individual during the taxable year for graduate level courses required to maintain certification if the individual:

(1) successfully completes the courses with a grade of B or better;

(2) is employed by a county board of education ~~OR~~, **A STATE OR LOCAL CORRECTIONAL FACILITY** ~~FOR ADULTS OR JUVENILES~~, **OR A JUVENILE FACILITY LISTED IN § 9–226 OF THE HUMAN SERVICES ARTICLE**;

(3) teaches in a public school ~~OR~~, ~~AT~~ **A STATE OR LOCAL CORRECTIONAL FACILITY** ~~FOR ADULTS OR JUVENILES~~, **OR A JUVENILE FACILITY LISTED IN § 9–226 OF THE HUMAN SERVICES ARTICLE** and receives a satisfactory performance evaluation for that teaching; and

(4) has not been reimbursed by the **STATE OR A** county for the tuition paid.

(b) (1) If a county ~~OR~~, **THE STATE OR LOCAL CORRECTIONAL FACILITY** ~~FOR ADULTS OR JUVENILES~~, **OR A JUVENILE FACILITY LISTED IN § 9–226 OF THE HUMAN SERVICES ARTICLE** partially reimburses an individual for tuition paid, the individual may claim a tax credit allowed under this section for the balance of the tuition not paid by the county **OR THE STATE**.

(2) The credit allowed under this section may not exceed the State income tax for that taxable year, calculated before the application of the credits allowed under this section and §§ 10–701 and 10–701.1 of this subtitle but after the application of the other credits allowable under this subtitle.

(3) The unused amount of the credit for any taxable year may not be carried over to any other taxable year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011, and shall be applicable to all taxable years beginning after December 31, 2010.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 468 – *Health Insurance – Dental Provider Contracts – Prohibited Provision*.

This bill prohibits a carrier from including in a dental provider contract a provision that requires a dental provider to provide specified services at a fee set by the carrier and applies the Act to dental provider contracts issued, renewed, or amended in the State on or after October 1, 2011.

Senate Bill 705, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 468.

Sincerely,

Governor

House Bill 468

AN ACT concerning

Health Insurance – Dental Provider Contracts – Prohibited Provision

FOR the purpose of prohibiting certain health insurance carriers from including in a dental provider contract a provision that requires a dental provider to provide certain services at a fee set by the carrier; defining a certain term; providing for the application of this Act; and generally relating to dental provider contracts and health insurance carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112.2(a)(1), (3), (4), (9), and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

BY adding to
Article – Insurance
Section 15–112.2(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Insurance

15–112.2.

(a) (1) In this section the following words have the meanings indicated.

(3) "Carrier" means:

(i) an insurer;

(ii) a nonprofit health service plan;

(iii) a health maintenance organization; or

(iv) a dental plan organization.

(4) "Enrollee" means a person entitled to health care benefits from a carrier.

(9) "Provider" has the meaning stated in § 19–701 of the Health – General Article.

(10) "Provider contract" means a contract:

(i) between a provider and a carrier, an affiliate of a carrier, or an entity that contracts with a provider to serve a carrier; and

(ii) under which the provider agrees to provide health care services to enrollees.

(G) (1) IN THIS SUBSECTION, "COVERED SERVICES" MEANS HEALTH CARE SERVICES THAT ARE REIMBURSABLE UNDER A POLICY OR CONTRACT FOR DENTAL SERVICES BETWEEN AN ENROLLEE AND A CARRIER, SUBJECT TO ANY CONTRACTUAL LIMITATIONS ON BENEFITS, INCLUDING DEDUCTIBLES, COPAYMENTS, OR FREQUENCY LIMITATIONS.

(2) A CARRIER MAY NOT INCLUDE IN A DENTAL PROVIDER CONTRACT A PROVISION THAT REQUIRES A DENTAL PROVIDER TO PROVIDE HEALTH CARE SERVICES THAT ARE NOT COVERED SERVICES AT A FEE SET BY THE CARRIER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all dental provider contracts issued, renewed, or amended in the State on or after October 1, 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 476 – *Carroll County – Winery Special Event Permits – Farmers' Markets*.

This bill authorizes the issuance of not more than 12 additional winery special event permits to specified wineries for use in specified farmers' markets in Carroll County.

Senate Bill 466, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 476.

Sincerely,

Governor

House Bill 476

AN ACT concerning

Carroll County – Winery Special Event Permits – Farmers' Markets

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers' markets in Carroll County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers' markets in Carroll County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages

Section 2–101(u)(9)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

2–101.

(u) (1) The Office of the Comptroller may issue a winery special event permit to a licensed Class 4 Maryland limited winery, provided that:

(i) Except as provided in paragraphs (6), (7), **[**and**]** (8)**, AND (9)** of this subsection, no more than 12 winery special event permits are issued to the Class 4 Maryland limited winery in any given calendar year;

(ii) The permit does not exceed 3 consecutive days; and

(iii) Except as provided in paragraphs (6), (7), **[**and**]** (8)**, AND (9)** of this subsection, no more than three winery special event permits are issued in any calendar year to any given limited winery for use in the same political subdivision.

(9) (I) IN ADDITION TO THE WINERY SPECIAL EVENT PERMITS THAT MAY BE ISSUED UNDER PARAGRAPH (1)(I) AND (III) OF THIS SUBSECTION, A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN ~~12~~ ~~9~~ *12* WINERY SPECIAL EVENT PERMITS FOR USE AT FARMERS' MARKETS IN CARROLL COUNTY THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.

(II) IF A WINERY SPECIAL EVENT PERMIT IS ISSUED UNDER THIS PARAGRAPH:

1. THE HOLDER OF THE PERMIT MAY NOT SELL WINE BY THE GLASS; AND

2. THE FARMERS' MARKET ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE AND THE HOLDER OF THE PERMIT OR THE HOLDER'S DESIGNEE SHALL BE:

A. CERTIFIED BY AN ALCOHOL AWARENESS PROGRAM APPROVED BY THE COMPTROLLER; AND

B. PRESENT DURING THE HOURS WHEN WINE MAY BE SOLD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 479 – *Frederick County – Winery Special Event Permits – Farmers' Markets*.

This bill authorizes the issuance of not more than 12 additional winery special event permits to Class 4 wineries for use in farmers' markets in Frederick County that are listed in the Farmers' Markets Directory of the Maryland Department of Agriculture. This bill prohibits a holder of a permit from selling wine by the glass and requires that a specified individual who is certified by a specified alcohol awareness program be present during the hours when wine may be sold.

Senate Bill 821, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 479.

Sincerely,

Governor

House Bill 479

AN ACT concerning

Frederick County – Winery Special Event Permits – Farmers' Markets

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers' markets in Frederick County; prohibiting a holder of a permit from selling wine by the

glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers' markets in Frederick County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(9)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

2–101.

(u) (1) The Office of the Comptroller may issue a winery special event permit to a licensed Class 4 Maryland limited winery, provided that:

(i) Except as provided in paragraphs (6), (7), **[**and**]** (8)**, AND (9)** of this subsection, no more than 12 winery special event permits are issued to the Class 4 Maryland limited winery in any given calendar year;

(ii) The permit does not exceed 3 consecutive days; and

(iii) Except as provided in paragraphs (6), (7), **[**and**]** (8)**, AND (9)** of this subsection, no more than three winery special event permits are issued in any calendar year to any given limited winery for use in the same political subdivision.

(9) (I) IN ADDITION TO THE WINERY SPECIAL EVENT PERMITS THAT MAY BE ISSUED UNDER PARAGRAPH (1)(I) AND (III) OF THIS SUBSECTION, A CLASS 4 MARYLAND LIMITED WINERY MAY BE ISSUED NOT MORE THAN 12 WINERY SPECIAL EVENT PERMITS FOR USE AT FARMERS' MARKETS IN FREDERICK COUNTY THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.

(II) IF A WINERY SPECIAL EVENT PERMIT IS ISSUED UNDER THIS PARAGRAPH:

1. THE HOLDER OF THE PERMIT MAY NOT SELL WINE BY THE GLASS; AND

2. THE FARMERS' MARKET ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE AND THE HOLDER OF THE PERMIT OR THE HOLDER'S DESIGNEE SHALL BE:

A. CERTIFIED BY AN ALCOHOL AWARENESS PROGRAM APPROVED BY THE COMPTROLLER; AND

B. PRESENT DURING THE HOURS WHEN WINE MAY BE SOLD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 614 – *Prince George's County – Maryland–National Capital Park and Planning Commission – Site Plan Approval Authority and Public Ethics Requirements MC/PG 114–11*.

This bill authorizes the County Council for Prince George's County, sitting as the district council, to review Planning Board decisions on site plans. This bill also authorizes a party of record to appeal specified decisions by the Planning Board to the district council and requires the district council to decide whether to review the final approval or disapproval of a detailed site plan within 30 days from the date the final approval or disapproval was issued. In addition, this bill authorizes the district council to revoke delegations of approval authority.

Senate Bill 901, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 614.

Sincerely,

Governor

House Bill 614

AN ACT concerning

~~Maryland–National Capital Park and Planning Commission – Prince George's County – Site Plan Approval Authority~~
Prince George's County – Maryland–National Capital Park and Planning Commission – Site Plan Approval Authority and Public Ethics Requirements

MC/PG 114–11

~~FOR the purpose of prohibiting the County Council for Prince George's County, sitting as the district council, from reviewing decisions by the Prince George's County Planning Board to approve or disapprove certain site plans except under certain circumstances; authorizing a party of record to appeal certain decisions by the Planning Board to the district council; prohibiting the district council from revoking certain delegations of approval authority made to the Planning Board by a certain date; authorizing the district council to revoke certain delegations of approval authority for the purpose of delegating that authority to the governing bodies of certain municipal corporations; and generally relating to site plan approval in Prince George's County.~~

FOR the purpose of authorizing the County Council for Prince George's County, sitting as a District Council, to review a final decision of the Prince George's Planning Board on a detailed site plan; requiring the District Council to decide whether to review a final decision of the Planning Board within a certain number of days after the final decision is issued; requiring the District Council to hold a review hearing within a certain number of days after it issues a decision to conduct a certain review; authorizing a party of record to appeal to the District Council a final decision by the Planning Board relating to a detailed site plan; authorizing the District Council to revoke a delegation of site plan approval authority to the Planning Board for the purpose of delegating approval authority over detailed site plans to the governing body of a municipal corporation in the Maryland–Washington Regional District; specifying that certain conflict of interest provisions required to be enacted by Prince George's County shall contain certain prohibitions against issuing credit cards to certain individuals and soliciting a person to enter into a business relationship with or provide anything of value to certain persons for certain purposes; prohibiting certain conflict of interest provisions from being construed in a certain manner; requiring certain lobbying provisions to prohibit a person from being engaged for lobbying purposes for compensation that is contingent on the outcome of a certain action; requiring certain Prince George's County ethics enactments to provide for the establishment of a Board of Ethics composed of a certain number

of members and having an executive director with certain duties and authority; and generally relating to the review of site plans for development projects in Prince George's County and the expansion of public ethics laws required to be enacted by Prince George's County.

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–129
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–807(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–808
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 28 – Maryland–National Capital Park and Planning Commission

~~**8–129.**~~

~~**(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY COUNCIL FOR PRINCE GEORGE'S COUNTY, SITTING AS A DISTRICT COUNCIL, MAY NOT REVIEW A FINAL DECISION OF THE PRINCE GEORGE'S COUNTY PLANNING BOARD TO APPROVE OR DISAPPROVE A SITE PLAN.**~~

~~**(2) A PARTY OF RECORD MAY APPEAL TO THE DISTRICT COUNCIL A FINAL DECISION BY THE PLANNING BOARD TO APPROVE OR DISAPPROVE A SITE PLAN.**~~

~~**(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY COUNCIL FOR PRINCE GEORGE'S COUNTY, SITTING AS A DISTRICT COUNCIL, MAY NOT REVOKE A DELEGATION OF AUTHORITY OVER SITE PLAN APPROVAL MADE TO THE PRINCE GEORGE'S COUNTY PLANNING BOARD ON OR BEFORE JANUARY 1, 2011.**~~

~~(2) THE DISTRICT COUNCIL MAY REVOKE A DELEGATION OF SITE PLAN APPROVAL AUTHORITY TO THE PLANNING BOARD ONLY FOR THE PURPOSE OF DELEGATING APPROVAL AUTHORITY OVER DETAILED SITE PLANS TO THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN THE MARYLAND–WASHINGTON REGIONAL DISTRICT UNDER § 8–112.4(B)(1)(IX) OF THIS TITLE.~~

8–129.

(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY COUNCIL FOR PRINCE GEORGE'S COUNTY, SITTING AS A DISTRICT COUNCIL, MAY REVIEW A FINAL DECISION OF THE PRINCE GEORGE'S COUNTY PLANNING BOARD ON A DETAILED SITE PLAN.

(2) (I) THE DISTRICT COUNCIL SHALL DECIDE WHETHER TO REVIEW THE FINAL APPROVAL OR DISAPPROVAL OF A DETAILED SITE PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 30 DAYS AFTER THE DATE THE FINAL APPROVAL OR DISAPPROVAL WAS ISSUED.

(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IF THE DISTRICT COUNCIL DECIDES TO REVIEW AN APPROVAL OR A DISAPPROVAL UNDER THIS PARAGRAPH, THE DISTRICT COUNCIL SHALL HOLD A REVIEW HEARING WITHIN 70 DAYS AFTER THE DATE THE DISTRICT COUNCIL ISSUES THE DECISION TO CONDUCT A REVIEW.

2. THE TIME FOR HOLDING A REVIEW HEARING UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY BE EXTENDED FOR UP TO 45 ADDITIONAL DAYS AT THE DECISION OF THE DISTRICT COUNCIL OR ON REQUEST OF THE APPLICANT.

(III) THE DISTRICT COUNCIL SHALL ISSUE A FINAL DECISION WITHIN 60 DAYS AFTER THE DATE OF THE REVIEW HEARING.

(3) A PARTY OF RECORD MAY APPEAL TO THE DISTRICT COUNCIL A FINAL DECISION BY THE PLANNING BOARD TO APPROVE OR DISAPPROVE A DETAILED SITE PLAN.

(B) THE DISTRICT COUNCIL MAY REVOKE A DELEGATION OF SITE PLAN APPROVAL AUTHORITY TO THE PLANNING BOARD FOR THE PURPOSE OF DELEGATING APPROVAL AUTHORITY OVER DETAILED SITE PLANS TO THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN THE MARYLAND–WASHINGTON REGIONAL DISTRICT UNDER § 8–112.4(B)(1)(IX) OF THIS TITLE.

Article – State Government

15–807.

(d) **(1)** [In] **THIS SUBSECTION APPLIES TO** Prince George's County[, "local]**.**

(2) **IN THIS SUBSECTION, "LOCAL** official" includes:

[(1)] **(I)** each member of the Board of License Commissioners;

[(2)] **(II)** the chief inspector and any other inspector of the Board of License Commissioners;

[(3)] **(III)** the administrator of the Board of License Commissioners; and

[(4)] **(IV)** the attorney to the Board of License Commissioners.

(3) THE CONFLICT OF INTEREST PROVISIONS REQUIRED UNDER § 15–803(A)(1) OF THIS SUBTITLE:

(I) SHALL PROHIBIT THE COUNTY GOVERNMENT FROM ISSUING A CREDIT CARD TO AN ELECTED COUNTY OFFICIAL OR A MEMBER OF THE COUNTY SCHOOL BOARD; AND

(II) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, SHALL PROHIBIT AN ELECTED COUNTY OFFICIAL FROM DIRECTLY OR INDIRECTLY SOLICITING A PERSON TO ENTER INTO A BUSINESS RELATIONSHIP WITH OR PROVIDE ANYTHING OF MONETARY VALUE TO A SPECIFIC INDIVIDUAL OR ENTITY, IF THE PERSON BEING SOLICITED IS SEEKING:

1. THE SUCCESS OR DEFEAT OF COUNTY LEGISLATION;

2. A COUNTY CONTRACT; OR

3. ANY OTHER COUNTY BENEFIT.

(4) ANY CONFLICT OF INTEREST PROVISION ENACTED IN ACCORDANCE WITH PARAGRAPH (3)(II) OF THIS SUBSECTION MAY NOT BE CONSTRUED TO AFFECT THE VALIDITY OF ANY LEGALLY ENACTED REQUIREMENT OR CONDITION, PROPOSED AND ADOPTED ON THE PUBLIC RECORD AT A PUBLIC HEARING, THE PURPOSE OF WHICH IS TO MITIGATE THE

IMPACT OF A DEVELOPMENT ON THE PROPERTY OWNERS IN THE AREAS SURROUNDING THE DEVELOPMENT, INCLUDING:

(I) AN ADEQUATE PUBLIC FACILITIES REQUIREMENT;

(II) A MINORITY BUSINESS REQUIREMENT; OR

(III) A COMMUNITY BENEFIT REQUIREMENT.

(5) THE LOBBYING PROVISIONS REQUIRED UNDER § 15–803 (A)(3) OF THIS SUBTITLE SHALL PROHIBIT A PERSON FROM BEING ENGAGED FOR LOBBYING PURPOSES FOR COMPENSATION THAT IS CONTINGENT IN ANY MANNER ON THE OUTCOME OF EXECUTIVE OR LEGISLATIVE ACTION BEFORE THE COUNTY GOVERNMENT.

(6) THE COUNTY'S ETHICS ENACTMENTS SHALL PROVIDE FOR:

(I) A COUNTY BOARD OF ETHICS COMPOSED OF FIVE MEMBERS APPOINTED BY THE COUNTY EXECUTIVE, SUBJECT TO THE ADVICE AND CONSENT OF THE COUNTY COUNCIL;

(II) AN EXECUTIVE DIRECTOR OF THE BOARD OF ETHICS WHO:

1. SHALL MEET INDIVIDUALLY WITH EACH ELECTED OFFICIAL OF THE COUNTY AT LEAST ANNUALLY TO ADVISE THE OFFICIAL REGARDING THE REQUIREMENTS OF ANY APPLICABLE ETHICS LAW, RULE, OR STANDARD OF CONDUCT;

2. SHALL ASSIST EACH ELECTED OFFICIAL OF THE COUNTY IN PREPARING ANY AFFIDAVIT OR OTHER DOCUMENT REQUIRED TO BE FILED UNDER THE COUNTY'S ETHICS ENACTMENTS;

3. SHALL CONDUCT ETHICS–RELATED BRIEFINGS FOR THE BENEFIT OF ELECTED OFFICIALS OF THE COUNTY; AND

4. MAY PROVIDE INFORMATION TO ANY PERSON REGARDING LAWS, RULES, AND OTHER STANDARDS OF ETHICAL CONDUCT APPLICABLE TO ELECTED OFFICIALS OF THE COUNTY; AND

(III) A REQUIREMENT THAT THE BOARD OF ETHICS IS TO MEET AT LEAST TWICE A YEAR.

15–808.

(a) If the Ethics Commission determines that a county or municipal corporation has not complied with the requirements of this Part I, the Ethics Commission may petition a circuit court with venue over the proceeding for appropriate relief to compel compliance.

(b) The circuit court may grant any available equitable relief.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 625 – *Carroll County – Deer Hunting on Private Property – Sundays.*

This bill authorizes a person in Carroll County to hunt deer on the last three Sundays in October and the second Sunday in November on private property with a bow and arrow and removes Carroll County from the list of counties in which deer hunting on private property on specified Sundays is prohibited.

Senate Bill 468, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 625.

Sincerely,

Governor

House Bill 625

AN ACT concerning

Carroll County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Carroll County to hunt deer on certain Sundays on private property with a bow and arrow during certain months; removing Carroll County from the list of counties in which deer hunting on private property on certain Sundays is prohibited; and generally relating to deer hunting on private property in Carroll County on Sunday.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

10–410.

(a) (1) Except as provided in paragraphs (2), (3), and (4) of this subsection, a person may not hunt any game bird or mammal on Sundays.

(2) The following persons may hunt the specified game birds and mammals on Sundays:

(i) A person using State certified raptors to hunt game birds or mammals during open season;

(ii) An unarmed person participating in an organized fox chase to chase foxes;

(iii) Provided that the provisions of § 10–906(b)(3) of this title are met, a person:

1. Using a regulated shooting ground under § 10–906 of this title to hunt the following pen–reared game birds:

A. Pheasants;

B. Bobwhite quail;

C. Chukar partridge;

D. Hungarian partridge;

E. Tower released flighted mallard ducks; and

F. Turkey on a regulated shooting ground that was permitted to release turkey before September 1, 1992; and

2. Having the written permission of the owner of the land or other person designated by the owner of the land, if the land is owned or leased by a person other than the person hunting on Sundays;

(iv) Subject to the provisions of § 10–411 of this subtitle, in Allegany, Calvert, **CARROLL,** Charles, Dorchester, Frederick, Garrett, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties, a person hunting deer on private property with a bow and arrow or crossbow during open season on the last three Sundays in October and the second Sunday in November; and

(v) Except on Easter Sunday, in Allegany County and Garrett County, a person hunting turkey on the last Sunday in April and the first Sunday in May.

(3) Subject to the provisions of § 10–415 of this subtitle, in Calvert County, Charles County, and St. Mary's County, a person may hunt deer on private property on:

(i) The first Sunday of the bow hunting season in November; and

(ii) Each Sunday in the deer firearms season.

(4) Provided that the provisions of § 10–415 of this subtitle are met and subject to paragraph (5) of this subsection, the Department may allow a person to hunt deer on private property on the first Sunday of:

(i) The bow hunting season in November; and

(ii) The deer firearms season.

(5) The Sunday deer hunting provisions under paragraph (4) of this subsection do not apply:

(i) In Baltimore, **[**Carroll,**]** Howard, and Prince George's counties; and

(ii) In Baltimore City.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 689 – *Harford County – Board of Elections – Membership*.

This bill increases the number of regular members of the Harford County Board of Elections to five and requires the members of the local board to be of specified political parties. This bill also requires a vacancy on the local board to be filled in a specified manner.

Senate Bill 192, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 689.

Sincerely,

Governor

House Bill 689

AN ACT concerning

Harford County – Board of Elections – Membership

FOR the purpose of altering the number of regular members of the Harford County Board of Elections; requiring the members of the local board to be of certain political parties; requiring a vacancy on the local board to be filled in a certain manner; providing for the effective date of this Act; and generally relating to the membership of the Harford County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201
Annotated Code of Maryland
(2010 Replacement Volume)
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Election Law

2–201.

(a) (1) There is a county board of elections in each county of the State.

(2) Each local board and its staff is subject to the direction and authority of the State Board and is accountable to the State Board for its actions in all matters regarding the implementation of the requirements of this article and any applicable federal law.

(b) (1) Except as provided in subsections (j), (k), and (l) of this section, each local board consists of three regular members and two substitute members.

(2) Two regular members and one substitute member shall be of the majority party, and one regular member and one substitute member shall be of the principal minority party.

(3) Except as provided in subsection (l) of this section, in the event of the absence of a regular member or a vacancy in the office of a regular member, the substitute member of the same political party shall exercise the powers and duties of a regular member until the regular member returns or the vacancy is filled as prescribed in subsection (h) of this section.

(c) Each regular and substitute member of a local board shall:

(1) be appointed in accordance with subsection (g) of this section;

(2) be a registered voter in the county for which the individual is appointed for the 5 years immediately preceding the appointment; and

(3) be eligible for reappointment.

(d) (1) The term of a member is 4 years and begins on the first Monday in June of each year following a gubernatorial election.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(e) Before taking office, a member shall take and subscribe to the oath prescribed in Article I, § 9 of the Maryland Constitution.

(f) The Governor may remove a member for incompetence, misconduct, or other good cause, upon written charges stating the Governor's grounds for dismissal and after affording the member notice and an ample opportunity to be heard.

(g) (1) The Governor shall request the county central committee representing the majority party or the principal minority party, as appropriate, to submit a list of at least four eligible individuals from which the Governor may make an appointment of a regular member or a substitute member of the local board.

(2) The Governor may reject all of the nominees if the Governor determines them to be unfit or incompetent, in which case the Governor shall notify the State Board in writing and request an additional list of at least four eligible nominees from the county central committee. A third list may be requested in the same manner.

(3) If a list containing the names of four eligible nominees is not submitted within 20 days of a request or if all the nominees on three lists are rejected, the Governor may appoint any eligible person who is a member of the appropriate political party.

(4) (i) Except as provided in subparagraph (ii) of this paragraph, each appointment shall be subject to confirmation by the Senate of Maryland.

(ii) In Caroline, Dorchester, and Kent counties, if there is no resident Senator of the particular county, the confirmation required under subparagraph (i) of this paragraph shall be by the House of Delegates of Maryland.

(iii) If an appointee is rejected, the Governor shall make another appointment from the list or lists submitted under paragraphs (1) and (2) of this subsection. If a list is not provided, or the nominees on three lists are rejected, the Governor may appoint an eligible individual as provided in paragraph (3) of this subsection.

(h) (1) Except as provided in subsections (j), (k), and (l) of this section, if a member of a local board dies, resigns, is removed, or becomes ineligible:

(i) the substitute member belonging to the same political party shall become a regular member of the local board; and

(ii) the Governor shall appoint an eligible person from the same political party to be the new substitute member.

(2) If a substitute member of a local board becomes a regular member as provided in paragraph (1)(ii) of this subsection, dies, resigns, is removed, or becomes ineligible when the confirming legislative body is not in session, the Governor shall appoint an eligible person from the same political party as the predecessor substitute member to fill the vacancy. That individual shall serve until the earlier of:

(i) the adjournment of the next session of the General Assembly; or

(ii) the appointment of another individual to fill the same vacancy.

(i) A board shall meet within 20 days after the beginning of the term to elect one of its regular members as president.

(j) (1) In Prince George's County, the local board consists of five regular members and three substitute members.

(2) Four regular members and two substitute members shall be of the majority party, and one regular member and one substitute member shall be of the principal minority party.

(3) If a vacancy occurs on the local board among the members from the majority party, the Governor shall designate one of the substitute members from that party to fill the vacancy.

(k) (1) In Montgomery County, the local board consists of five regular members and two substitute members.

(2) Three regular members and one substitute member shall be of the majority party, and two regular members and one substitute member shall be of the principal minority party.

(l) (1) In Wicomico County, Worcester County, **[**and**]** Somerset County, **AND HARFORD COUNTY,** the local board consists of five regular members.

(2) Three regular members shall be of the majority party, and two regular members shall be of the principal minority party.

(3) (i) If a vacancy occurs on the local board, the Governor shall appoint an eligible person from the same political party as the predecessor member to fill the vacancy in accordance with subsection (g) of this section for the remainder of the unexpired term and until a successor is appointed and qualifies.

(ii) An appointment made while the Senate of Maryland is not in session shall be considered temporary until the appointee is confirmed by the Senate.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1~~ June 6, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 703 – *Harford County – Alcoholic Beverages – Continuing Care Facility for Aged – Beer, Wine and Liquor License*.

This bill establishes a Class CCFA (continuing care facility for the aged) beer, wine and liquor license in Harford County and specifies that the Liquor Control Board may issue a Class CCFA license to an organization that provides specified care, is licensed as a specified institution, is certified by a specified department, is exempt from federal income tax, and is located in Harford County.

Senate Bill 926, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 703.

Sincerely,

Governor

House Bill 703

AN ACT concerning

Harford County – Alcoholic Beverages – Continuing Care Facility for Aged – Beer, Wine and Liquor License

FOR the purpose of establishing a Class CCFA (continuing care facility for the aged) beer, wine and liquor license in Harford County; specifying that the Liquor Control Board may issue a Class CCFA license to certain organizations that provide certain care, are licensed as a certain institution, are certified by a certain department, are exempt from certain taxes, and are located in Harford County; authorizing a Class CCFA license holder to sell alcoholic beverages for consumption on the licensed premises under certain circumstances; <u>setting the annual license fee;</u> providing that certain prohibitions do not apply to this Act; and generally relating to beer, wine and liquor licenses in Harford County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–213.2
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

8–213.2.

(A) THIS SECTION APPLIES ONLY IN HARFORD COUNTY.

(B) THERE IS A CLASS CCFA (CONTINUING CARE FACILITY FOR THE AGED) BEER, WINE AND LIQUOR LICENSE IN HARFORD COUNTY.

(C) THE LIQUOR CONTROL BOARD MAY ISSUE A CLASS CCFA LICENSE TO A CONTINUING CARE FACILITY FOR THE AGED THAT:

(1) PROVIDES CONTINUING CARE AS DEFINED IN § 10–401 OF THE HUMAN SERVICES ARTICLE;

(2) IS LICENSED AS A RELATED INSTITUTION UNDER TITLE 19, SUBTITLE 3 OF THE HEALTH – GENERAL ARTICLE;

(3) IS CERTIFIED BY THE DEPARTMENT OF AGING;

(4) IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; AND

(5) IS LOCATED IN HARFORD COUNTY.

(D) A CLASS CCFA LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON THE LICENSED PREMISES:

(1) FOR CONSUMPTION ONLY ON THE LICENSED PREMISES; AND

(2) DURING THE HOURS AND DAYS FOR SALE SPECIFIED IN § 11–513(B)(1) OF THIS ARTICLE.

(E) THE DISTANCE RESTRICTIONS IN § 9–213(B) OF THIS ARTICLE DO NOT APPLY TO THE HOLDER OF A CLASS CCFA LICENSE.

(F) THE ANNUAL LICENSE FEE IS $5,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 879 – *Criminal Law – Counterfeiting – Venue*.

This bill includes the county in which an alleged counterfeit deed or other instrument is filed or recorded in a specified manner as a venue to prosecute a specified counterfeiting crime or other crime that establishes a specified counterfeiting crime.

Senate Bill 511, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 879.

Sincerely,

Governor

House Bill 879

AN ACT concerning

Criminal Law – Counterfeiting – Venue

FOR the purpose of including the county in which an alleged counterfeit deed or other instrument is filed or recorded in a certain manner as a venue to prosecute a certain counterfeiting crime or other crime based on an act that establishes a certain counterfeiting crime; and generally relating to counterfeit deeds or other instruments.

BY repealing and reenacting, with amendments,
Article – Criminal Law

Section 8–601
Annotated Code of Maryland
(2002 Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Criminal Law

8–601.

(a) A person, with intent to defraud another, may not counterfeit, cause to be counterfeited, or willingly aid or assist in counterfeiting any:

(1) bond;

(2) check;

(3) deed;

(4) draft;

(5) endorsement or assignment of a bond, draft, check, or promissory note;

(6) entry in an account book or ledger;

(7) letter of credit;

(8) negotiable instrument;

(9) power of attorney;

(10) promissory note;

(11) release or discharge for money or property;

(12) title to a motor vehicle;

(13) waiver or release of mechanics' lien; or

(14) will or codicil.

(b) A person may not knowingly, willfully, and with fraudulent intent possess a counterfeit of any of the items listed in subsection (a) of this section.

(c) (1) A person who violates subsection (a) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding $1,000 or both.

(2) A person who violates subsection (b) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(d) Notwithstanding any other provision of law, the prosecution of an alleged violation of this section or for an alleged violation of a crime based on an act that establishes a violation of this section may be commenced in any county in which:

(1) an element of the crime occurred;

(2) **THE DEED OR OTHER ALLEGED COUNTERFEIT INSTRUMENT IS RECORDED IN THE COUNTY LAND RECORDS, FILED WITH THE CLERK OF THE CIRCUIT COURT, OR FILED WITH THE REGISTER OF WILLS;**

(3) the victim resides; or

[(3)**] (4)** if the victim is not an individual, the victim conducts business.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 947 – *Caroline County – Alcoholic Beverages Act of 2011*.

This bill increases to 26 the times a Class BWTS beer and wine (on–premises) tasting or sampling license may be granted in a calendar year to a person in Caroline County. The bill also alters the hours of sale for specified licensees and requires that a licensee in the county or an employee of the licensee be certified by an approved alcohol

awareness program and, except in case of a bona fide emergency, be present during the hours in which alcohol may be sold.

Senate Bill 102, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 947.

Sincerely,

Governor

House Bill 947

AN ACT concerning

Caroline County – Alcoholic Beverages Act of 2011

FOR the purpose of increasing the number of times a Class BWTS beer and wine (on–premises) tasting or sampling license may be granted in a calendar year to a person in Caroline County; altering the hours of sale for certain licensees in the county; requiring that a licensee in the county or an employee of the licensee be certified by an approved alcohol awareness program and, except under certain circumstances, be present during the hours in which alcohol may be sold; making a stylistic change; and generally relating to alcoholic beverages in Caroline County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–404.2(a) and (b) and 13–101(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–404.2(i), <u>8–507.1(g), 11–301(a) and (d)(2), 11–302(a), (c), and (d), 11–303(a) and (d)(4),</u> 11–506, and 13–101(c)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

8–404.2.

(a) This section applies only in Caroline County.

(b) The Board of License Commissioners may issue a 1–day Class BWTS beer and wine (on–premises) tasting or sampling license.

(i) A Class BWTS license may not be granted to a person more than **[**12**] 26** times in a calendar year.

8–507.1.

(g) The hours and days for sale for a Class GC 7–day (golf course) beer, wine and liquor license are **[**as follows:

(1) Monday through Saturday from 6 a.m. to 2 a.m. the following day; and

(2) Sunday from 1 p.m. to 12 midnight**] FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY**.

11–301.

(a) (1) Except as otherwise provided in this subsection, the hours during which the privileges conferred by a Class A beer license may be exercised are from 6 a.m. to midnight, on every day except Sunday.

(2) IN CAROLINE COUNTY, THE HOURS OF OPERATION ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY.

[(2)**] (3)** In Frederick County, the hours of operation are:

(i) On Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

(ii) On Sunday, from 11 a.m. to 2 a.m. the following day.

[(3)**] (4)** In Montgomery County the hours are as provided in § 11–516(d)(1).

[(4)**] (5)** In Prince George's County the hours are from 6 a.m. to 2 a.m. on the day following, except on Sunday when sales are not permitted after 2 a.m.

[(5)**] (6)** In Washington County, the hours of sale are as provided under § 11–522 of this article.

(d) (2) In Caroline County the hours are from 6 a.m. **[**Monday through Saturday until 1 a.m. on the following day (including Sunday)**] TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY**.

11–302.

(a) (1) Except as otherwise provided in this subsection, the hours during which the privileges conferred by a Class A beer and light wine license may be exercised are from 6 a.m. to midnight on every day except Sunday.

(2) In the Park Heights Redevelopment Area that is specified in the Park Heights Master Plan adopted by Baltimore City in 2006, the hours of sale begin at 9 a.m. each day.

(3) IN CAROLINE COUNTY, THE HOURS OF OPERATION ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY.

[(3)**] (4)** In Frederick County, the hours of operation are:

(i) On Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

(ii) On Sunday, from 11 a.m. to 2 a.m. the following day.

[(4)**] (5)** In Montgomery County the hours are as provided in § 11–516(d)(1).

[(5)**] (6)** In Prince George's County the hours are from 6 a.m. to 2 a.m. on the following day except on Sunday when sales are not permitted after 2 a.m.

(c) (1) The hours during which the privileges conferred by a Class C beer and light wine license may be exercised are from 6 a.m. to midnight.

(2) Except as otherwise provided in subsections (h) and (i) of this section, in Baltimore City the hours are from 6 a.m. to 2 a.m. on the following day.

(3) In Baltimore County the hours are from 6 a.m. to 2 a.m. on the following day.

(4) IN CAROLINE COUNTY, THE HOURS OF OPERATION ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY.

[(4)**] (5)** In Montgomery County, except as provided in § 11–516 of this article, sales may not be made before 11 a.m.

[(5)**] (6)** In Prince George's County the hours are from 6 a.m. to 2 a.m. on the following day.

(d) (1) The hours during which the privileges conferred by a Class D beer and light wine license may be exercised are from 6 a.m. to midnight.

(2) Except as otherwise provided in subsections (h), (i), and (j) of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m. on the following day.

(3) In Baltimore County the hours are from 6 a.m. to 2 a.m. Monday through Sunday.

(4) IN CAROLINE COUNTY, THE HOURS OF OPERATION ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY.

[(4)**] (5)** In Montgomery County, except as provided in § 11–516 of this article, the hours for on–sale are from 9 a.m. on any day to 1 a.m. on the following day.

[(5)**] (6)** In Prince George's County the hours are from 6 a.m. to 2 a.m. on the following day.

[(6)**] (7)** In Wicomico County, notwithstanding the provisions of paragraph (1) of this subsection, the hours on Sunday are from noon to midnight only by bowling alleys as defined in § 1–102(b)(4) of this article.

11–303.

(a) (1) The hours during which the privileges conferred by a Class A beer, wine and liquor license may be exercised are from 6 a.m. to midnight, on every day except Sunday.

(2) The provisions of paragraph (1) of this subsection are superseded as follows:

(i) In Annapolis, the hours may be fixed by the Mayor, Counselor, and Aldermen of the City of Annapolis;

(ii) In the Park Heights Redevelopment Area that is specified in the Park Heights Master Plan adopted by Baltimore City in 2006, the hours of sale begin at 9 a.m. each day;

(III) IN CAROLINE COUNTY, THE HOURS OF OPERATION ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY;

[(iii)**] (IV)** In Carroll County, the privileges conferred by a Class A beer, wine and liquor license may be exercised from 11 a.m. to 6 p.m. on Sunday;

[(iv)**] (V)** In Frederick County holders of a Class A beer, wine and liquor (off–sale) license may sell beer, wine and liquor for off–premises consumption on:

1. Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and

2. Sunday, from 11 a.m. to 2 a.m. the following day, if they hold a special Sunday opening permit;

[(v)**] (VI)** In Kent County, the provisions of § 11–515 of this article apply;

[(vi)**] (VII)** In St. Mary's County, holders of a Class A–1 license may sell on Sunday; and

[(vii)**] (VIII)** In Talbot County, the hours are from 8 a.m. to 12 midnight.

(d) (4) In Caroline County the hours **[**on Monday through Saturday are from 6 a.m. to 2 a.m. on the following day (including Sunday) for a 6–day license holder. For a 7–day license holder the hours on Monday through Saturday are from 6 a.m. to 2 a.m. the following day (including Sunday), and on Sunday, from 1 p.m. to midnight**] FOR A 6–DAY LICENSE HOLDER AND A 7–DAY LICENSE HOLDER ARE FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY**.

11–506.

Notwithstanding any other provision of this subtitle, in Caroline County the following licensees may sell alcoholic beverages **[**between the hours of 12 o'clock midnight and 2 o'clock a.m. and between 12 o'clock noon and 12 o'clock midnight on Sunday**] FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH SUNDAY**:

(1) Class B and C beer;

(2) Class H beer and light wine;

(3) Class B beer, wine and liquor (7 day); and

(4) Class C beer, wine and liquor.

13–101.

(c) (1) A holder of any class of retail alcoholic beverages license or an employee designated by the holder shall complete training in an approved alcohol

awareness program. The training shall be valid for a period of 4 years, and the holder shall complete retraining in an approved program for each successive 4–year period.

(2) (i) This paragraph applies only in the following jurisdictions:

1. Howard County;

2. Montgomery County;

3. Kent County;

4. Washington County; **[**and**]**

5. CAROLINE COUNTY; AND

[5.**] 6.** Except as provided in subparagraph (ii) of this paragraph, Wicomico County.

(ii) This paragraph does not apply to a licensee in Wicomico County with a Class C license.

(iii) The licensee or a person who is employed in a supervisory capacity designated by the licensee:

1. Shall be certified by an approved alcohol awareness program; and

2. Except as otherwise provided in subparagraph (iv) of this paragraph, be present during the hours in which alcohol may be sold.

(iv) 1. In Howard County, Kent County, Washington County, and Wicomico County, the person certified by an approved alcohol awareness program may be absent from the licensed premises for a bona fide personal or business reason or an emergency, if the absence lasts for **[**no**] NOT** more than 2 hours.

2. IN CAROLINE COUNTY, THE PERSON CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM MAY BE ABSENT FROM THE LICENSED PREMISES FOR A BONA FIDE EMERGENCY, IF THE ABSENCE LASTS FOR NOT MORE THAN 2 HOURS.

[2.**] 3.** The Board of License Commissioners shall require the licensee to keep a log book on the licensed premises that contains documentation of each temporary absence, the length of time of the absence, and the reason for the absence, in the form required by the Board of License Commissioners.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 954 – *Washington County – Board of Elections – Membership and Compensation.*

This bill alters which salaries the Washington County Salary Study Commission is required to study and increases the number of regular members of the Washington County Board of Elections to five. This bill also requires the members of the local board to be of specified political parties and requires a vacancy on the local board to be filled in a specified manner. In addition, this bill repeals the requirement that members of the local board be paid a specified amount and makes the Act effective June 6, 2011.

Senate Bill 534, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 954.

Sincerely,

Governor

House Bill 954

AN ACT concerning

Washington County – Board of Elections – Membership and Compensation

FOR the purpose of altering which salaries the Washington County Salary Study Commission is required to study; altering the number of regular members of the Washington County Board of Elections; requiring the members of the local board to be of certain political parties; requiring a vacancy on the local board to be filled in a certain manner; repealing the requirement that members of the

local board be paid a certain amount; requiring that the Washington County Board of County Commissioners set the salaries of members of the local board; repealing the requirement that substitute members of the local board be paid a certain amount; ~~providing that this Act does not apply to the salary or compensation of the local board during a certain term of office;~~ providing for the effective date of this Act; and generally relating to the membership and compensation of the Washington County Board of Elections.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–205(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 2–201(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume)
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201(l) and 2–204(a)(22) and (b)
Annotated Code of Maryland
(2010 Replacement Volume)
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 24 – Political Subdivisions – Miscellaneous Provisions

12–205.

(a) The Commission shall study the salaries of the Washington County:

(1) Board of County Commissioners;

(2) Board of Education;

(3) Orphans' Court judges;

(4) Sheriff;

(5) Treasurer; **AND**

(6) **[**Board of Supervisors of Elections; and

(7)**]** Board of Liquor License Commissioners.

Article – Election Law

2–201.

(a) (1) There is a county board of elections in each county of the State.

(2) Each local board and its staff is subject to the direction and authority of the State Board and is accountable to the State Board for its actions in all matters regarding the implementation of the requirements of this article and any applicable federal law.

(b) (1) Except as provided in subsections (j), (k), and (l) of this section, each local board consists of three regular members and two substitute members.

(2) Two regular members and one substitute member shall be of the majority party, and one regular member and one substitute member shall be of the principal minority party.

(3) Except as provided in subsection (l) of this section, in the event of the absence of a regular member or a vacancy in the office of a regular member, the substitute member of the same political party shall exercise the powers and duties of a regular member until the regular member returns or the vacancy is filled as prescribed in subsection (h) of this section.

(l) (1) In Wicomico County, Worcester County, **[**and**]** Somerset County, **AND WASHINGTON COUNTY,** the local board consists of five regular members.

(2) Three regular members shall be of the majority party, and two regular members shall be of the principal minority party.

(3) (i) If a vacancy occurs on the local board, the Governor shall appoint an eligible person from the same political party as the predecessor member to fill the vacancy in accordance with subsection (g) of this section for the remainder of the unexpired term and until a successor is appointed and qualifies.

(ii) An appointment made while the Senate of Maryland is not in session shall be considered temporary until the appointee is confirmed by the Senate.

2–204.

(a) Each regular member of a local board shall receive the salary and reimbursement of expenses provided in the county budget, but in no event may the annual compensation be less than the following amounts:

(22) in Washington County, **[**$5,000 for the president and $4,500 for other regular members**]** **THE AMOUNT SET BY THE COUNTY COMMISSIONERS**;

(b) (1) Consistent with paragraph (2) of this subsection, each substitute member shall be compensated for each day of service as provided in the county budget.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a substitute member shall be compensated at a rate of at least $25 for each meeting of the local board that the substitute member attends.

(ii) 1. In Baltimore City, a substitute member shall be paid $200 for each meeting that the substitute member attends.

2. In Calvert County, a substitute member shall be paid at least $50 for each meeting that the substitute member attends.

3. In Frederick County, a substitute member shall be paid $4,500 annually.

4. In Garrett County, a substitute member shall be paid the amount set by the County Commissioners under Chapter 91 of the Public Local Laws of Garrett County.

5. In Kent County, a substitute member shall be paid at least $50 for each meeting that the substitute member attends.

[6. In Washington County, a substitute member shall be paid $75 for each meeting that the substitute member attends.**]**

~~SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary or compensation of the Washington County Board of Elections during a term of office beginning before the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the Washington County Board of Elections shall take effect at the beginning of the next following term of office.~~

SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1~~ June 6, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1053 – *Natural Resources – Aquaculture*.

This bill makes the Department of Natural Resources responsible for the employment of the State's Aquaculture Coordinator and transfers specified seafood–related programs, funds, and organizations from the Department of Agriculture to the Department of Natural Resources. This bill also alters the membership of the Aquaculture Review Board and authorizes the Department of Natural Resources to issue water column leases under specified circumstances and alters provisions relating to the issuance of submerged land leases.

Senate Bill 847, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1053.

Sincerely,

Governor

House Bill 1053

AN ACT concerning

Natural Resources – Aquaculture

FOR the purpose of altering the State agency that is responsible for the employment of the State's Aquaculture Coordinator; clarifying certain roles of certain agencies in the development of an aquaculture industry in the State; <u>transferring the Seafood Marketing and Aquaculture Development Program, the Division of Market Development, the Seafood Marketing Fund, the Seafood Program Management Team, the Innovative Seafood Technologies Program, the Seafood Marketing Advisory Commission, the Aquaculture Coordinating Council, and the Aquaculture Review Board from the Department of Agriculture to the Department of Natural Resources;</u> altering the membership of the Aquaculture Review Board; authorizing the Department of Natural Resources to issue water column leases under certain circumstances; exempting aquaculture activities in certain leases from a certain wetlands license requirement; <u>altering certain provisions relating to the issuance of submerged land leases;</u> authorizing the

Department of Natural Resources to issue water column leases only in waters that have been classified in a certain way by the Department of the Environment; prohibiting water column leases in certain areas; limiting the manner in which shellfish may be cultivated from a water column lease; requiring the Department of Natural Resources to notify certain persons of lease applications under certain circumstances; providing for the continuity of certain licenses, leases, certifications, and permits; providing that certain leaseholders, license holders, permittees, and certified persons shall continue to be valid leaseholders, license holders, permittees, and certified persons, and shall comply with certain requirements; requiring that certain pending applications be transferred to the Department of Natural Resources; requiring the publisher of the Annotated Code of Maryland, in consultation with, and subject to the approval of, the Department of Legislative Services, to correct certain cross–references and terminology; defining certain terms; altering certain definitions; making technical corrections; and generally relating to aquaculture in the State.

BY renumbering
Article – Natural Resources
Section 4–11A–08 through ~~4–11A–19~~ 4–11A–22, respectively
to be Section 4–11A–09 through ~~4–11A–20~~ 4–11A–23, respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing
Article – Agriculture
Section 10–1301 and 10–1302
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY transferring
Article – Agriculture
Section 10–1001 and 10–1002 and the subtitle "Subtitle 10. Seafood Marketing and Aquaculture Development Program and Division of Market Development"; 10–10A–01 and the subtitle "Subtitle 10A. Seafood Program Management Team"; 10–10B–01 and the subtitle "Subtitle 10B. Innovative Seafood Technologies Program"; 10–1101 and the subtitle "Subtitle 11. Seafood Marketing Advisory Commission"; and 10–1303, respectively
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)
to be
Article – Natural Resources
Section 4–11B–01 and 4–11B–02 and the subtitle "Subtitle 11B. Seafood Marketing and Aquaculture Development Program and Division of Market Development"; 4–11C–01 and the subtitle "Subtitle 11C. Seafood Program Management Team"; 4–11D–01 and the subtitle "Subtitle 11D.

Innovative Seafood Technologies Program"; 4–11E–01 and the subtitle "Subtitle 11E. Seafood Marketing Advisory Commission"; and 4–11A–03.2, respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section ~~10–1301 and 10–1302~~ 2–106(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 16–107 and 16–202(h)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 16–202(a) and (b)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701(e)(3), 4–1103(d), 4–11A–01(m), 4–11A–02(a), 4–11A–06(b), and 4–11A–07(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–701(a) and (b) and 4–11A–01(d), (g), (n), and (q)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article – Natural Resources
Section 4–11A–01(r), 4–11A–03, 4–11A–03.1, and 4–11A–08
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–11A–09 and 4–11A–10(e)
Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)
(As enacted by Section 1 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 4–11A–08 through ~~4–11A–19~~ 4–11A–22, respectively, of Article – Natural Resources of the Annotated Code of Maryland be renumbered to be Section(s) 4–11A–09 through ~~4–11A–20~~ 4–11A–23, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 10–1001 and 10–1002 and the subtitle "Subtitle 10. Seafood Marketing and Aquaculture Development Program and Division of Market Development"; 10–10A–01 and the subtitle "Subtitle 10A. Seafood Program Management Team"; 10–10B–01 and the subtitle "Subtitle 10B. Innovative Seafood Technologies Program"; 10–1101 and the subtitle "Subtitle 11. Seafood Marketing Advisory Commission"; and 10–1303, respectively, of Article – Agriculture of the Annotated Code of Maryland be transferred to be Section(s) 4–11B–01 and 4–11B–02 and the subtitle "Subtitle 11B. Seafood Marketing and Aquaculture Development Program and Division of Market Development"; 4–11C–01 and the subtitle "Subtitle 11C. Seafood Program Management Team"; 4–11D–01 and the subtitle "Subtitle 11D. Innovative Seafood Technologies Program"; 4–11E–01 and the subtitle "Subtitle 11E. Seafood Marketing Advisory Commission"; and 4–11A–03.2, respectively, of Article – Natural Resources of the Annotated Code of Maryland.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Agriculture

2–106.

(a) The following positions and units are included within the Department:

(1) The Maryland Agricultural Fair Board;

(2) The Chief of Weights and Measures;

(3) The State Chemist;

(4) The State Veterinarian;

(5) The State Board of Veterinary Medical Examiners;

(6) The State Soil Conservation Committee;

(7) The Board of Review of the Department of Agriculture;

(8) The Maryland Agricultural Commission;

(9) The Maryland Horse Industry Board;

[(10) The Seafood Marketing and Aquaculture Development Program and Division of Market Development;

(11) The Seafood Marketing Advisory Commission;**]**

[(12)**] (10)** The Maryland Winery and Grape Growers' Advisory Board**[**;

(13) The Aquaculture Review Board; and

(14) The Aquaculture Coordinating Council**]**.

~~10–1301.~~

~~(a) (1) The General Assembly defines aquaculture as an agricultural **AND FISHERIES MANAGEMENT** activity.~~

~~(2) "Aquaculture" includes the commercial rearing of finfish, shellfish, and aquatic plants for sale, trade, barter, or shipment.~~

~~(b) It is the intent of the General Assembly to create:~~

~~(1) An Aquaculture Review Board and an Aquaculture Coordinating Council to promote the development of an aquaculture industry in this State; and~~

~~(2) An Aquaculture Coordinator**, EMPLOYED BY THE DEPARTMENT OF NATURAL RESOURCES,** to assist persons in obtaining the permits and licenses necessary to conduct aquaculture in the State.~~

~~(c) The Maryland Department of Agriculture is the lead agency for**[**:~~

~~(1) Promoting, coordinating,**] PROMOTING** and marketing aquaculture and aquaculture products**[**; and~~

~~(2) Coordinating and streamlining the process of applying for a State aquaculture permit**]**.~~

~~(d) The Department of Natural Resources is responsible for **[**enforcement**]:**~~

~~**(1) ENFORCEMENT** of laws, regulations, and rules**; AND**~~

~~**(2) COORDINATING AND STREAMLINING THE PROCESS OF APPLYING FOR A STATE AQUACULTURE PERMIT.**~~

~~(e) The University of Maryland is the lead agency for research in aquaculture production and shall be responsible for development of education and extension programs which promote aquaculture as an industry.~~

~~10–1302.~~

~~(a) There is an Aquaculture Review Board.~~

~~(b)~~ **~~(1)~~** ~~The Review Board shall consist of the following~~ **[**~~5~~**]** ~~members, each of whom shall represent one of the following State departments charged with responsibility for an aspect of the State aquaculture permitting process or oversight of permit compliance:~~

[~~(1)~~**]** **~~(I)~~** ~~The Department of~~ **[**~~Agriculture~~**] NATURAL RESOURCES**~~, to be represented by the Aquaculture Coordinator, who shall serve as chair;~~

[~~(2)~~**]** **~~(II)~~** ~~1 representative of the Department of the Environment, designated by the Secretary of the Environment;~~

[~~(3)~~**]** **~~(III)~~** ~~1 representative of the Department of Health and Mental Hygiene, designated by the Secretary of Health and Mental Hygiene;~~ **~~AND~~**

[~~(4)~~**]** **~~(IV)~~** ~~1 representative of the Department of~~ **[**~~Natural Resources~~**] AGRICULTURE**~~, designated by the Secretary of~~ **[**~~Natural Resources; and~~

~~(5) 1 representative of the Board of Public Works~~**] AGRICULTURE.**

~~(2)~~ **~~THE NATIONAL MARINE FISHERIES SERVICE SHALL BE INVITED TO DESIGNATE A REPRESENTATIVE TO THE REVIEW BOARD.~~**

~~(3)~~ **~~THE UNITED STATES ARMY CORPS OF ENGINEERS SHALL BE INVITED TO DESIGNATE A REPRESENTATIVE TO THE REVIEW BOARD.~~**

~~(c) (1) The Aquaculture Coordinator shall be the single point of contact for an applicant for all permits and licenses necessary to conduct aquaculture in the State.~~

~~(2) The Review Board shall:~~

~~(i) Coordinate the development of statewide aquaculture policy and, to the maximum extent feasible, the streamlining of the application process;~~

~~(ii) Track each application as it~~ **[**~~progresses through each department~~**] IS PROCESSED**~~; and~~

~~(iii) Ensure full and meaningful departmental communication with an applicant during each stage of the application process.~~

Article – Environment

16–107.

(a) (1) This section applies to a development project to expand a marina that historically operated as a working marina for the sole purpose of supporting aquaculture or seafood operations.

(2) This section does not apply to a development project to expand a marina if the existing or expanded marina is used to allow a person to moor, dock, or store recreational or pleasure vessels.

(b) (1) Except as provided in subsection (c) of this section, the Board may issue a license under this title for a development project to expand a marina that is located in an area where the water depth is less than 4 1/2 feet at mean low water and on a waterway without strong flushing if the development project:

(i) Enhances aquaculture activities or seafood operations;

(ii) Is located in a marina or seafood operation at a marina operated by a nonprofit organization to promote aquaculture activities or oyster restoration in the State;

(iii) Does not adversely impact submerged aquatic vegetation; and

(iv) Will further the policies of the State related to aquaculture.

(2) The license authorized under paragraph (1) of this subsection may authorize dredging to improve navigational access to the marina or marina facility operations.

(c) The Board may not issue a license under this title unless the applicant for the license has obtained the following authorizations if required by local, State, or federal law:

(1) Local planning or zoning authorization;

(2) An aquaculture lease;

(3) A water column lease **[**issued by the Board**]** or a submerged land lease issued by the Department of Natural Resources; and

(4) A permit issued by the U.S. Army Corps of Engineers under § 404 of the federal Clean Water Act or under § 10 of the federal Rivers and Harbors Act.

16–202.

(a) A person may not dredge or fill on State wetlands without a license.

(b) To apply for a license, the applicant shall submit a delineation of the affected tidal wetlands and all other information required by the Department.

(h) The provisions of this section do not apply to any operation for:

(1) Dredging and filling being conducted as of July 1, 1970, as authorized under the terms of an appropriate permit or license granted under the provisions of existing State and federal law;

(2) Dredging of seafood products by any licensed operator, harvesting of seaweed, or mosquito control and abatement as approved by the Department of Agriculture;

(3) Improvement of wildlife habitat or agricultural drainage ditches as approved by an appropriate unit;

(4) Routine maintenance or repair of existing bulkheads, provided that there is no addition or channelward encroachment; or

(5) Aquaculture activities occurring **[**in Aquaculture Enterprise Zones established under Title 4, Subtitle 11A of the Natural Resources Article under an aquaculture**]** **UNDER A** lease issued by the Department of Natural Resources **UNDER TITLE 4, SUBTITLE 11A OF THE NATURAL RESOURCES ARTICLE**.

Article – Natural Resources

4–701.

(a) This section applies to any person who is required under Subtitle 2, 7, 8, 9, or 10 of this title to be licensed to guide fishing parties or to catch, sell, buy, process, transport, export, or otherwise deal in fish caught in tidal waters.

(b) (1) The Department shall utilize a single, commercial license, to be known and designated as a tidal fish license.

(2) A tidal fish license authorizes a licensee:

(i) To engage in each activity indicated on the license; and

(ii) For catching crabs, to utilize the number of crew members indicated on the license.

(3) Except for a person receiving a license under subsection (i)(2)(ii) of this section, the Department may not issue a tidal fish license to an individual who is younger than 14 years of age.

(4) A person may not guide fishing parties or catch, sell, buy, process, transport, export, or otherwise deal in fish caught in tidal waters unless licensed under this section.

(e) (3) In addition to the normal license fees imposed under subsection (d)(2)(ii)2 and 4 of this section, a licensee shall pay to the Department an annual surcharge of $10 to be credited to the Seafood Marketing Office of the Department **[**of Agriculture**]** to fund seafood marketing programs which have been approved by the Department.

4–1103.

(d) (1) In addition to the provisions of subsections (b) and (c) of this section concerning the establishment of oyster seed areas and the sale of seed oysters to a leaseholder, the Department may:

(i) Sell or remove seed oysters from oyster seed areas if the sale or removal is made under disease protocols; and

(ii) Adopt regulations necessary to implement the provisions of this subsection.

(2) The Department shall credit the proceeds of any sale of seed oysters under this subsection to the Fisheries Research and Development Fund in the Department.

(3) The Department shall:

(i) Sell, at prevailing market prices, seed oysters produced in an aquaculture oyster seed area to a person who holds a valid **[**aquaculture or submerged land**]** lease **ISSUED UNDER SUBTITLE 11A OF THIS TITLE,** or an aquaculture permit to cultivate shellfish; and

(ii) Use any revenue derived from the sale of seed oysters to reimburse the Fisheries Research and Development Fund for any expenditure needed to create the aquaculture oyster seed areas under this subsection.

4–11A–01.

(d) "Aquaculture lease" means a lease of any submerged land or the water column located in an Aquaculture Enterprise Zone for cultivating oysters or other shellfish for commercial purposes.

(g) "Demonstration lease" means a lease of submerged land for the purpose of demonstrating the ecological benefits of growing shellfish or for research or education.

(m) "SAV Protection Zone" means an area of submerged aquatic vegetation **[**with a density greater than 10%**]** as mapped in aerial surveys by the Virginia Institute of Marine Sciences in 1 or more of the **[**3**] 5** years preceding the designation of an Aquaculture Enterprise Zone or an application for **[**an aquaculture, submerged land, or demonstration lease**] A LEASE UNDER THIS SUBTITLE**.

(n) "Submerged land lease" means any land lying beneath the waters of the State leased by the State to any person for cultivating oysters and other shellfish for commercial purposes.

(q) "Water column lease" means a lease of the column of water on or under the surface of the water and above the surface of the submerged land.

(R) "YATES BAR" MEANS ANY SUBMERGED OYSTER BAR, REEF, ROCK, OR AREA REPRESENTED AS AN OYSTER BAR ON THE CHARTS OF THE OYSTER SURVEY OF 1906 TO 1912, NOT INCLUDING ANY AMENDMENTS.

4–11A–02.

(a) (1) The Department shall promulgate by regulation requirements that are necessary to ensure that aquaculture operations do not adversely impact wild stocks of fish, including measures for identifying fish as products of an aquaculture operation. In developing these regulations, the Department shall consult with the Aquaculture Coordinating Council, established by ~~§ 10–1303 of the Agriculture Article~~ **§ 4–11A–03.2 OF THIS SUBTITLE**, and incorporate in the regulations public notice provisions in accordance with **[**§ 4–11A–08**] § 4–11A–09** of this subtitle.

(2) The Department may not issue a permit for the raising of nonnative species, including hybrids of striped bass, or nonnative stocks unless:

(i) The permit limits the aquaculture operation to nontidal ponds, lakes, or impoundments; and

(ii) The aquaculture operation is constructed in a manner that assures that nonnative stocks are precluded from entering the tidal waters or contaminating the native species of the State.

(3) The Department may not issue a permit for the raising of a transgenic species or a genetically altered species, unless:

(i) The permit limits the aquaculture operation to waters of the State that do not flow into any other body of water; and

(ii) The aquaculture operation is constructed in a manner that assures that transgenic or genetically altered stocks are precluded from entering any other waters or contaminating other aquatic species of the State.

4–11A–03.

(A) (1) THE GENERAL ASSEMBLY DEFINES AQUACULTURE AS AN AGRICULTURAL AND FISHERIES MANAGEMENT ACTIVITY.

(2) "AQUACULTURE" INCLUDES THE COMMERCIAL REARING OF FINFISH, SHELLFISH, AND AQUATIC PLANTS FOR SALE, TRADE, BARTER, OR SHIPMENT.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CREATE:

(1) AN AQUACULTURE REVIEW BOARD AND AN AQUACULTURE COORDINATING COUNCIL TO PROMOTE THE DEVELOPMENT OF AN AQUACULTURE INDUSTRY IN THIS STATE; AND

(2) AN AQUACULTURE COORDINATOR, EMPLOYED BY THE DEPARTMENT, TO ASSIST PERSONS IN OBTAINING THE PERMITS AND LICENSES NECESSARY TO CONDUCT AQUACULTURE IN THE STATE.

(C) THE DEPARTMENT IS THE LEAD AGENCY FOR:

(1) PROMOTING, COORDINATING, AND MARKETING AQUACULTURE AND AQUACULTURE PRODUCTS;

(2) COORDINATING AND STREAMLINING THE PROCESS OF APPLYING FOR A STATE AQUACULTURE PERMIT; AND

(3) ENFORCING LAWS, REGULATIONS, AND RULES.

(D) THE UNIVERSITY OF MARYLAND IS THE LEAD AGENCY FOR RESEARCH IN AQUACULTURE PRODUCTION AND SHALL BE RESPONSIBLE FOR DEVELOPMENT OF EDUCATION AND EXTENSION PROGRAMS WHICH PROMOTE AQUACULTURE AS AN INDUSTRY.

4–11A–03.1.

(A) THERE IS AN AQUACULTURE REVIEW BOARD.

(B) (1) THE REVIEW BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS, EACH OF WHOM SHALL REPRESENT ONE OF THE FOLLOWING STATE DEPARTMENTS CHARGED WITH RESPONSIBILITY FOR AN ASPECT OF THE STATE AQUACULTURE PERMITTING PROCESS OR OVERSIGHT OF PERMIT COMPLIANCE:

(I) THE DEPARTMENT OF NATURAL RESOURCES, TO BE REPRESENTED BY THE AQUACULTURE COORDINATOR, WHO SHALL SERVE AS CHAIR;

(II) ONE REPRESENTATIVE OF THE DEPARTMENT OF THE ENVIRONMENT, DESIGNATED BY THE SECRETARY OF THE ENVIRONMENT;

(III) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, DESIGNATED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE; AND

(IV) ONE REPRESENTATIVE OF THE DEPARTMENT OF AGRICULTURE, DESIGNATED BY THE SECRETARY OF AGRICULTURE.

(2) THE NATIONAL MARINE FISHERIES SERVICE SHALL BE INVITED TO DESIGNATE A REPRESENTATIVE TO THE REVIEW BOARD.

(3) THE UNITED STATES ARMY CORPS OF ENGINEERS SHALL BE INVITED TO DESIGNATE A REPRESENTATIVE TO THE REVIEW BOARD.

(C) (1) THE AQUACULTURE COORDINATOR SHALL BE THE SINGLE POINT OF CONTACT FOR AN APPLICANT FOR ALL PERMITS AND LICENSES NECESSARY TO CONDUCT AQUACULTURE IN THE STATE.

(2) THE REVIEW BOARD SHALL:

(I) COORDINATE THE DEVELOPMENT OF STATEWIDE AQUACULTURE POLICY AND, TO THE MAXIMUM EXTENT FEASIBLE, THE STREAMLINING OF THE APPLICATION PROCESS;

(II) TRACK EACH APPLICATION AS IT IS PROCESSED; AND

(III) ENSURE FULL AND MEANINGFUL DEPARTMENTAL COMMUNICATION WITH AN APPLICANT DURING EACH STAGE OF THE APPLICATION PROCESS.

4–11A–06.

(b) (1) The Department may issue to a person a submerged land lease in waters of the Chesapeake Bay **[**that meet applicable water quality requirements for shellfish cultivation as determined by the Department of the Environment**]** **AFTER THE DEPARTMENT OF THE ENVIRONMENT CLASSIFIES THE WATERS AS** ~~**APPROVED**~~**:**

(I) APPROVED, CONDITIONALLY APPROVED, OR RESTRICTED FOR HARVEST; OR

(II) PROHIBITED, PROVIDED THAT THE LEASE IS USED EXCLUSIVELY FOR THE PLANTING AND GATHERING OF SEED FOR AQUACULTURE AND THE LEASEHOLDER COMPLIES WITH THE REQUIREMENTS OF THE NATIONAL SHELLFISH SANITATION PROGRAM AS IMPLEMENTED BY THE DEPARTMENT.

(2) A submerged land lease may not be located:

(i) Within a minimum of 50 feet of shoreline or any pier without the written permission of the riparian owner at the time of initial application for the lease;

(ii) Within 150 feet of the public shellfish fishery or a registered pound net site;

(iii) Within 150 feet of an oyster sanctuary or oyster reserve;

(iv) Within 150 feet of a federal navigational channel;

(v) In any creek, cove, bay, or inlet less than 300 feet wide at its mouth at mean low tide; or

(vi) In an SAV Protection Zone.

4–11A–07.

(b) The Department may issue to a person a submerged land lease in waters of the Atlantic Coastal Bays **[**that meet applicable water quality requirements for shellfish cultivation as determined by the Department of the Environment**]** **AFTER THE DEPARTMENT OF THE ENVIRONMENT CLASSIFIES THE WATERS AS** ~~**APPROVED**~~**:**

(1) APPROVED, CONDITIONALLY APPROVED, OR RESTRICTED FOR HARVEST; OR

(2) PROHIBITED, PROVIDED THAT THE LEASE IS USED EXCLUSIVELY FOR THE PLANTING AND GATHERING OF SEED FOR AQUACULTURE AND THE LEASEHOLDER COMPLIES WITH THE REQUIREMENTS OF THE NATIONAL SHELLFISH SANITATION PROGRAM AS IMPLEMENTED BY THE DEPARTMENT.

4–11A–08.

(A) THIS SECTION APPLIES TO A WATER COLUMN LEASE IN THE WATERS OF THE STATE.

(B) THE DEPARTMENT MAY ISSUE TO A PERSON A WATER COLUMN LEASE IN WATERS OF THE STATE AFTER THE DEPARTMENT OF THE ENVIRONMENT CLASSIFIES THE WATERS AS ~~APPROVED~~:

(1) APPROVED, CONDITIONALLY APPROVED, OR RESTRICTED FOR HARVEST; OR

(2) PROHIBITED, PROVIDED THAT THE LEASE IS USED EXCLUSIVELY FOR THE PLANTING AND GATHERING OF SEED FOR AQUACULTURE AND THE LEASEHOLDER COMPLIES WITH THE REQUIREMENTS OF THE NATIONAL SHELLFISH SANITATION PROGRAM AS IMPLEMENTED BY THE DEPARTMENT.

(C) (1) A WATER COLUMN LEASE MAY NOT BE LOCATED:

~~(1)~~ (I) WITHIN A MINIMUM OF 50 FEET OF SHORELINE OR ANY PIER WITHOUT THE WRITTEN PERMISSION OF THE RIPARIAN OWNER AT THE TIME OF INITIAL APPLICATION FOR THE LEASE;

~~(2)~~ (II) WITHIN 150 FEET OF THE PUBLIC SHELLFISH FISHERY OR A REGISTERED POUND NET SITE;

~~(3)~~ (III) WITHIN 150 FEET OF AN OYSTER RESERVE OR ANY YATES BAR LOCATED IN AN OYSTER SANCTUARY;

~~(4)~~ (IV) WITHIN 150 FEET OF A FEDERAL NAVIGATIONAL CHANNEL;

~~(5)~~ (V) ~~IN~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN ANY CREEK, COVE, BAY, OR INLET LESS THAN 300 FEET WIDE AT ITS MOUTH AT MEAN LOW TIDE;

~~(6)~~ (VI) **IN AN SAV PROTECTION ZONE; OR**

~~(7)~~ (VII) **IN A SETBACK OR BUFFER FROM THE ASSATEAGUE ISLAND NATIONAL SEASHORE ESTABLISHED BY THE DEPARTMENT.**

(2) THE PROVISIONS OF PARAGRAPH (1)(V) OF THIS SUBSECTION DO NOT APPLY TO THE RIPARIAN OWNER OR A LAWFUL OCCUPANT OF THE RIPARIAN PROPERTY.

(D) A PERSON WITH A WATER COLUMN LEASE IN THE WATERS OF THE STATE MAY CULTIVATE SHELLFISH:

(1) SUBJECT TO APPROVAL BY THE UNITED STATES ARMY CORPS OF ENGINEERS, ON OR UNDER THE SURFACE OF THE WATER IN A FLOATING STRUCTURE; OR

(2) IN ANY OTHER MANNER AUTHORIZED BY THE DEPARTMENT.

4–11A–09.

(a) (1) A person who wishes to obtain an aquaculture or submerged land lease shall pay a nonrefundable application fee established by the Department and complete and submit an application to the Department.

(2) A person who wishes to obtain a water column lease that does not apply in an Aquaculture Enterprise Zone shall **[**apply for a tidal wetlands license from the Department of the Environment**]** **COMPLETE AND SUBMIT AN APPLICATION TO THE DEPARTMENT**.

(b) An application for an aquaculture **LEASE, WATER COLUMN LEASE,** or submerged land lease shall include:

(1) A declaration that the applicant intends to actively use the leased area for commercial purposes; and

(2) A proposed plan for active use of the lease that shall include:

(i) The lessee's source and quantity of shellfish seed;

(ii) The methods and means the applicant will use to grow shellfish;

(iii) The quantity of shellfish that the lessee expects to plant and harvest, and the time for planting and harvesting, during the initial 3 years of the lease; and

(iv) A description of the labor, materials, and equipment to be used by the lessee.

(c) The requirements for active use of a lease shall include:

(1) Annually planting at least one–fourth of the leased area at a minimum density of 1,000,000 shellfish seed per acre; or

(2) Complying with any other requirements established by the Department.

(d) (1) The term of a lease is 20 years.

(2) Except for a demonstration lease under **[**§ 4–11A–10**] § 4–11A–11** of this subtitle, a lease may be of any size provided that the leaseholder actively uses the area.

(3) The Department shall establish an annual amount of rent and an aquaculture development surcharge for an aquaculture or submerged land lease.

(4) The Department, as it considers necessary to protect the public health, safety, and welfare, may:

(i) Deny a lease application for reasonable cause; or

(ii) Include any conditions in a lease.

(e) If an application for an aquaculture lease meets the requirements of this subtitle, the Department shall survey the leased area and issue a lease to the applicant.

(f) If an application for a submerged land lease in an area preapproved for leasing in the Atlantic Coastal Bays meets the requirements of this subtitle, the Department shall survey the leased area and issue a submerged land lease to the applicant.

(g) (1) If an application for a submerged land **OR WATER COLUMN** lease in the Chesapeake Bay or in the Atlantic Coastal Bays meets the requirements of this subtitle:

(i) The applicant for the lease shall mark the proposed area with a stake; and

(ii) The Department shall:

1. Advertise the application on the website of the Department and once a week for 4 successive weeks in a newspaper published in the county or counties where the proposed lease is to be located;

2. Notify the owners of property directly in front of the proposed activity; **[**and**]**

3. Notify **[**the**]** **EACH** Chair of **[**the**]** **AN** Oyster Committee in the county in which the proposed activity is located**; AND**

4. NOTIFY OTHER INTERESTED PARTIES THAT THE DEPARTMENT DEEMS APPROPRIATE.

(2) (i) Within 30 days of publication of the last advertisement under paragraph (1) of this subsection, any person who has a specific right, duty, privilege, or interest that is different from that held by the general public and may be adversely affected by the proposed lease may file a petition with the Department protesting the issuance of the lease.

(ii) The protest shall be heard in accordance with the requirements of the Administrative Procedure Act under Title 10, Subtitle 2 of the State Government Article.

(iii) The Department shall hold a public informational meeting on the issuance of a lease on the request of any person.

(iv) Immediately after termination of the period prescribed in subparagraph (i) of this paragraph for filing a petition or after a final decision dismissing a protest, the Department shall survey the proposed leased area and issue a **[**submerged land**]** lease to the applicant.

4–11A–10.

(e) (1) A person who wishes to renew **[**an aquaculture lease, a submerged land lease,**]** **A LEASE ISSUED UNDER THIS SUBTITLE** or an existing shellfish lease or oyster lease shall submit an application that meets the requirements for an initial application in **[**§ 4–11A–08**]** **§ 4–11A–09 OR § 4–11A–11** of this subtitle.

(2) Before the termination or expiration of a lease issued under this subtitle, the leaseholder shall have the right of first refusal with respect to future leases of the leased area.

SECTION 4. AND BE IT FURTHER ENACTED, That all wetlands licenses, water column leases, aquaculture leases, certifications, or other permits issued by the Board of Public Works for aquaculture related projects and in effect as of June 30,

2011, shall remain in effect under the Department of Natural Resources until completed, withdrawn, canceled, modified, or otherwise changed.

SECTION 5. AND BE IT FURTHER ENACTED, That any person who holds a valid aquaculture or water column lease, or is licensed, permitted, or certified by the Board of Public Works or the Department of the Environment to use the water column for an aquaculture related project, is considered for all purposes to be a valid aquaculture or water column leaseholder, or licensed, authorized, permitted, or certified for the duration of the term for which the lease, license, authorization, permit, or certification was issued, and may renew that authorization in accordance with the appropriate renewal provisions provided by the Department of Natural Resources. Any person who entered into a valid lease agreement, or was originally licensed, authorized, permitted, or certified under a provision of law that has been repealed by this Act as obsolete or inconsistent shall continue to meet the requirements to the same extent as if that provision had not been repealed, or to the extent required by the Department of Natural Resources.

SECTION 6. AND BE IT FURTHER ENACTED, That all applications for water column leases and wetlands licenses for aquaculture related projects currently pending before the Department of the Environment or the Board of Public Works as of the effective date of this Act shall be and hereby are transferred to the Department of Natural Resources for processing in accordance with its terms and procedures.

SECTION 7. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross–references and terminology rendered incorrect by this Act or by any other Act of the General Assembly of 2011 that affects provisions enacted by this Act. The publishers shall adequately describe any such correction in an editor's note following the section affected.

SECTION ~~3.~~ 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1088 – *Audit Responsibilities – State Department of Education, Maryland Higher Education Commission, and State Retirement Agency*.

This bill authorizes the Maryland State Department of Education and the Maryland Higher Education Commission to conduct audits to determine whether local school systems, community colleges, and public libraries are properly reimbursing the State for pension payments for their employees whose salaries are not paid fully by State and local funds. Alternatively, the agencies may request that the local entities conduct their own audits.

Senate Bill 358, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1088.

Sincerely,

Governor

House Bill 1088

AN ACT concerning

Audit Responsibilities – State Department of Education, Maryland Higher Education Commission, and State Retirement Agency

FOR the purpose of requiring the county boards of education to conduct certain audits under certain circumstances; requiring certain local school systems to reimburse the State for certain employer contributions for certain employees participating in the Teachers' Retirement System or the Teachers' Pension System; providing that the State Department of Education may authorize certain county boards of education and public libraries to conduct certain audits; authorizing the State Department of Education, rather than the State Retirement Agency, to conduct certain audits of local school systems and public libraries to determine if certain employer contributions have been paid appropriately to the State Retirement and Pension System; clarifying that certain audits conducted by certain groups may be conducted in a certain manner; requiring that reimbursements for certain audits be applied to the State Department of Education, certain county boards of education, the Maryland Higher Education Commission, certain public junior or community colleges, certain public libraries, and the General Fund in a certain manner; requiring certain county boards of education and public libraries to provide certain documentation to the State Department of Education under certain circumstances; providing that the Maryland Higher Education Commission may authorize certain public junior or community colleges to conduct certain audits; authorizing the Maryland Higher Education Commission, rather than the State Retirement Agency, to conduct certain audits of public junior or community

colleges to determine if certain employer contributions have been paid appropriately to the State Retirement and Pension System; requiring certain public junior or community colleges to provide certain documentation to the Maryland Higher Education Commission under certain circumstances; clarifying that the State Retirement Agency may perform certain audits of certain participating employers; requiring that if certain audits by the State Retirement Agency reveal certain information, certain actions shall be taken and certain payments shall be made to the State Retirement and Pension System; and generally relating to performing audits of local school systems, public junior or community colleges, and public libraries for purposes of determining if employer and member contributions have been paid appropriately to the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–109, 5–203, 16–306, and 23–504
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–121
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

5–109.

(a) **(1)** Each county board shall provide for an annual audit of its financial transactions and accounts.

(2) AT THE REQUEST OF THE DEPARTMENT, A COUNTY BOARD SHALL CONDUCT AN AUDIT UNDER § 5–203 OF THIS TITLE.

(b) (1) The audit shall be made by a certified public accountant or a partnership of certified public accountants who are:

(i) Licensed by the State Board of Public Accountancy; and

(ii) Approved by the State Superintendent.

(2) The audit shall be made in accordance with the standards and regulations adopted by the State Board.

(c) (1) The results of the audit, including the letter of recommendation submitted by the auditor, are a matter of public record.

(2) The results shall be reported within 3 months after the close of the fiscal year for the county board on the form and in the manner required by the State Board to:

(i) The State Superintendent;

(ii) The county fiscal authority;

(iii) The Joint Audit Committee of the General Assembly;

(iv) The Senate Budget and Taxation Committee;

(v) The Senate Education, Health, and Environmental Affairs Committee;

(vi) The House Appropriations Committee; and

(vii) The House Committee on Ways and Means.

(d) In addition to the audit required by this section, the county commissioners or county council may conduct an audit using auditors employed by the county.

5–203.

(a) **(1)** **[**In this section, "Agency" means the State Retirement Agency.**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A LOCAL SCHOOL SYSTEM SHALL REIMBURSE THE STATE ANNUALLY FOR THE EMPLOYER CONTRIBUTIONS MADE BY THE STATE FOR AN EMPLOYEE WHO:**

(I) IS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM OR THE TEACHERS' PENSION SYSTEM UNDER DIVISION II OF THE STATE PERSONNEL AND PENSIONS ARTICLE; AND

(II) IS RECEIVING A SALARY FUNDED BY A SOURCE OTHER THAN STATE OR LOCAL AID.

(2) TO THE EXTENT THAT AN EMPLOYEE'S SALARY IS FUNDED IN PART BY SOURCES OTHER THAN STATE OR LOCAL AID, THE LOCAL SCHOOL SYSTEM SHALL REIMBURSE THE STATE A PRO RATA SHARE OF THE STATE'S

PAYMENT BASED ON THE PERCENTAGE OF THE EMPLOYEE'S SALARY FUNDED BY A SOURCE OTHER THAN STATE OR LOCAL AID.

(b) (1) **[**The Agency**] TO ENSURE THAT EACH LOCAL SCHOOL SYSTEM IS PROPERLY REIMBURSING THE STATE AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT OR, AT THE DEPARTMENT'S REQUEST, A COUNTY BOARD** may at any time examine the records of local school systems to determine whether the State's payments for retirement contributions for employees of the school systems are in accordance with the provisions of Division II of the State Personnel and Pensions Article.

[(2) In making the determination under paragraph (1) of this subsection, the Agency shall include as employees eligible for State payment of retirement contributions those employees:

(i) Whose salaries are funded by State or local aid, whether general or categorical in nature; and

(ii) Who are members of the Teachers' Pension System or Teachers' Retirement System.**]**

(2) AN AUDIT CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE:

(I) INCLUDED WITH AN EXISTING ANNUAL FINANCIAL AUDIT AS A SUPPLEMENTAL PART AND TESTED INDEPENDENTLY;

(II) CONDUCTED IN CONJUNCTION WITH A SUPPLEMENTAL FEDERALLY MANDATED SINGLE AUDIT OF FEDERAL FINANCIAL ASSISTANCE PROGRAMS AND TESTED INDEPENDENTLY; OR

(III) CONDUCTED AS A SEPARATE INDEPENDENT AUDIT.

(c) (1) (i) If an examination of the records of a local school system shows that the State has paid more than is required under Division II of the State Personnel and Pensions Article, within 30 days after the date of the notice to the school system of the State overpayment, the school system may appeal the notice of State overpayment to the Secretary of Budget and Management who shall appoint a hearing examiner who is an attorney.

(ii) The hearing examiner shall make recommendations to the Secretary of Budget and Management who shall make a determination regarding the amount, if any, of the State overpayment.

(iii) Should a local school system request a transcript of an audit appeals hearing, the local school system shall provide and pay for the production of the transcript.

(2) At the request of the Department **[**of Education**]** the moneys owed shall be deducted from any other State funds that would otherwise be paid to the school system if:

(i) A local school system does not appeal to the Secretary of Budget and Management or to the Office of Administrative Hearings; or

(ii) The Office of Administrative Hearings determines that the State is due reimbursement for excess payments as provided in paragraph (3) of this subsection.

(3) (i) The local school system may appeal to the Office of Administrative Hearings a determination by the Secretary of Budget and Management regarding the amount, if any, of the State overpayment.

(ii) Within 45 days after the close of the hearing record, the Office of Administrative Hearings shall issue a written decision to the parties and may grant any appropriate remedy.

(iii) The written decision issued by the Office of Administrative Hearings is the final finding of fact and conclusion of law and binding on all parties and is not subject to judicial review.

(d) **(1)** Any reimbursements **[**which result from audits under this section**]** **UNDER SUBSECTION (A) OF THIS SECTION**:

[(1)**]** **(I)** Shall be applied first to **THE COST OF ANY AUDIT OR PORTION OF ANY AUDIT RELATING TO SUBSECTION (A) OF THIS SECTION TO** reimburse **EITHER** the **[**Agency**]** **DEPARTMENT OR THE COUNTY BOARD** for the expenses of the audits; and

[(2)**]** **(II)** After reimbursement to the **[**Agency**]** **DEPARTMENT OR COUNTY BOARD** under item **[**(1)**]****(I)** of this **[**subsection**]** **PARAGRAPH**, shall be credited to the General Fund.

(2) IF AN AUDIT UNDER THIS SECTION IS PERFORMED BY A COUNTY BOARD, BEFORE THE COUNTY BOARD IS REIMBURSED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE COUNTY BOARD SHALL PROVIDE DOCUMENTATION TO THE DEPARTMENT THAT THE INCREMENTAL COSTS OF THE AUDIT INCURRED BY THE COUNTY BOARD ARE REASONABLE.

16–306.

(a) **(1)** **[**In this section, "Agency" means the State Retirement Agency.**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PUBLIC JUNIOR OR COMMUNITY COLLEGE SHALL REIMBURSE THE STATE ANNUALLY FOR THE EMPLOYER CONTRIBUTIONS MADE BY THE STATE FOR AN EMPLOYEE WHO:**

(I) IS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM OR THE TEACHERS' PENSION SYSTEM UNDER DIVISION II OF THE STATE PERSONNEL AND PENSIONS ARTICLE; AND

(II) IS RECEIVING A SALARY FUNDED BY A SOURCE OTHER THAN STATE OR LOCAL AID.

(2) TO THE EXTENT THAT AN EMPLOYEE'S SALARY IS FUNDED IN PART BY SOURCES OTHER THAN STATE OR LOCAL AID, THE PUBLIC JUNIOR OR COMMUNITY COLLEGE SHALL REIMBURSE THE STATE A PRO RATA SHARE OF THE STATE'S PAYMENT BASED ON THE PERCENTAGE OF THE EMPLOYEE'S SALARY FUNDED BY A SOURCE OTHER THAN STATE OR LOCAL AID.

(b) **(1)** **[**The Agency**]** **TO ENSURE THAT THE PUBLIC JUNIOR OR COMMUNITY COLLEGE IS PROPERLY REIMBURSING THE STATE AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION, THE COMMISSION OR, AT THE COMMISSION'S REQUEST, A PUBLIC JUNIOR OR COMMUNITY COLLEGE** may at any time examine the records of public junior or community colleges to determine whether the State's payments for retirement contributions for employees of the public junior or community colleges are in accordance with the provisions of Division II of the State Personnel and Pensions Article.

(2) AN AUDIT CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE:

(I) INCLUDED WITH AN EXISTING FINANCIAL ANNUAL AUDIT AS A SUPPLEMENTAL PART AND TESTED INDEPENDENTLY;

(II) CONDUCTED IN CONJUNCTION WITH A SUPPLEMENTAL FEDERALLY MANDATED SINGLE AUDIT OF FEDERAL FINANCIAL ASSISTANCE PROGRAMS AND TESTED INDEPENDENTLY; OR

(III) CONDUCTED AS A SEPARATE INDEPENDENT AUDIT.

(c) (1) (i) If an examination of the records of a public junior or community college shows that the State has paid more than is required under Division II of the State Personnel and Pensions Article, within 30 days after the date of the notice to the junior or community college of the State overpayment, the junior or

community college may appeal the notice of State overpayment to the Secretary of Budget and Management who shall appoint a hearing examiner.

(ii) The hearing examiner shall make recommendations to the Secretary of Budget and Management who shall make a final determination regarding the amount, if any, of the State overpayment.

(2) If a public junior or community college does not appeal to the Secretary of Budget and Management or if the Secretary of Budget and Management determines that the State is due reimbursement for excess payments, as provided in paragraph (1) of this subsection, at the request of the **[**Agency**] COMMISSION** the moneys owed shall be deducted from any other State funds that would otherwise be paid to the public junior or community college.

(3) For purposes of the Administrative Procedure Act, an appeal taken under this section is not a contested case.

(d) **(1)** Any reimbursements **[**which result from audits under this section**] UNDER SUBSECTION (A) OF THIS SECTION**:

[(1)**] (I)** Shall be applied first to **THE COST OF ANY AUDIT OR PORTION OF ANY AUDIT RELATING TO SUBSECTION (A) OF THIS SECTION TO** reimburse **EITHER** the **[**Agency**] COMMISSION OR THE PUBLIC JUNIOR OR COMMUNITY COLLEGE** for the expenses of the audits; and

[(2)**] (II)** After reimbursement to the **[**Agency**]COMMISSION OR THE PUBLIC JUNIOR OR COMMUNITY COLLEGE** under item **[**(1)**](I)** of this **[**subsection**] PARAGRAPH**, shall be credited to the General Fund.

(2) IF AN AUDIT UNDER THIS SECTION IS PERFORMED BY A PUBLIC JUNIOR OR COMMUNITY COLLEGE, BEFORE THE PUBLIC JUNIOR OR COMMUNITY COLLEGE IS REIMBURSED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE PUBLIC JUNIOR OR COMMUNITY COLLEGE SHALL PROVIDE DOCUMENTATION TO THE COMMISSION THAT THE INCREMENTAL COSTS OF THE AUDIT INCURRED BY THE PUBLIC JUNIOR OR COMMUNITY COLLEGE ARE REASONABLE.

23–504.

(a) **(1) [**In this section, "Agency" means the State Retirement Agency.**] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PUBLIC LIBRARY SHALL REIMBURSE THE STATE ANNUALLY FOR THE EMPLOYER CONTRIBUTIONS MADE BY THE STATE FOR AN EMPLOYEE WHO:**

(I) IS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM OR THE TEACHERS' PENSION SYSTEM UNDER DIVISION II OF THE STATE PERSONNEL AND PENSIONS ARTICLE; AND

(II) IS RECEIVING A SALARY FUNDED BY A SOURCE OTHER THAN STATE OR LOCAL AID.

(2) TO THE EXTENT THAT AN EMPLOYEE'S SALARY IS FUNDED IN PART BY SOURCES OTHER THAN STATE OR LOCAL AID, THE PUBLIC LIBRARY SHALL REIMBURSE THE STATE A PRO RATA SHARE OF THE STATE'S PAYMENT BASED ON THE PERCENTAGE OF THE EMPLOYEE'S SALARY FUNDED BY A SOURCE OTHER THAN STATE OR LOCAL AID.

(b) **(1) [**The Agency**] TO ENSURE THAT EACH PUBLIC LIBRARY IS PROPERLY REIMBURSING THE STATE AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT OR, AT THE DEPARTMENT'S REQUEST, A PUBLIC LIBRARY** may at any time examine the records of public libraries to determine whether the State's payments for retirement contributions for employees of the public libraries are in accordance with the provisions of Division II of the State Personnel and Pensions Article.

(2) AN AUDIT CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE:

(I) INCLUDED WITH AN EXISTING FINANCIAL ANNUAL AUDIT AS A SUPPLEMENTAL PART AND TESTED INDEPENDENTLY;

(II) CONDUCTED IN CONJUNCTION WITH A SUPPLEMENTAL FEDERALLY MANDATED SINGLE AUDIT OF FEDERAL FINANCIAL ASSISTANCE PROGRAMS AND TESTED INDEPENDENTLY; OR

(III) CONDUCTED AS A SEPARATE INDEPENDENT AUDIT.

(c) (1) (i) If an examination of the records of a public library shows that the State has paid more than is required under Division II of the State Personnel and Pensions Article, within 30 days after the date of the notice to the library of the State overpayment, the public library may appeal the notice of State overpayment to the Secretary of Budget and Management who shall appoint a hearing examiner.

(ii) The hearing examiner shall make recommendations to the Secretary of Budget and Management who shall make a final determination regarding the amount, if any, of the State overpayment.

(2) If a public library does not appeal to the Secretary of Budget and Management or if the Secretary of Budget and Management determines that the State

is due reimbursement for excess payments as provided in paragraph (1) of this subsection, at the request of the Department ~~of Education~~ the moneys owed shall be deducted from any other State funds that would otherwise be paid to the public library.

(3) For purposes of the Administrative Procedure Act, an appeal taken under this section is not a contested case.

(d) **(1)** Any reimbursements **[**which result from audits under this section**]** **UNDER SUBSECTION (A) OF THIS SECTION**:

[(1)**]** **(I)** Shall be applied first to **THE COST OF ANY AUDIT OR PORTION OF ANY AUDIT RELATING TO SUBSECTION (A) OF THIS SECTION TO** reimburse **EITHER** the **[**Agency**]** **DEPARTMENT OR THE PUBLIC LIBRARY** for the expenses of the audits; and

[(2)**]** **(II)** After reimbursement to the **[**Agency**]DEPARTMENT OR PUBLIC LIBRARY** under item **[**(1)**](I)** of this **[**subsection**]** **PARAGRAPH**, shall be credited to the General Fund.

(2) IF AN AUDIT UNDER THIS SECTION IS PERFORMED BY A PUBLIC LIBRARY, BEFORE THE PUBLIC LIBRARY IS REIMBURSED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE PUBLIC LIBRARY SHALL PROVIDE DOCUMENTATION TO THE DEPARTMENT THAT THE INCREMENTAL COSTS OF THE AUDIT INCURRED BY THE PUBLIC LIBRARY ARE REASONABLE.

Article – State Personnel and Pensions

21–121.

(A) **[**Whenever an audit of the records of an educational institution, public library, or school system reveals that the institution, library, or school system owes money to the accumulation fund of the Teachers' Retirement System or the Teachers' Pension System, the State Retirement Agency may collect the delinquent payment as provided under §§ 5–203, 16–306, and 23–504 of the Education Article.**]THE STATE RETIREMENT AGENCY MAY AT ANY TIME EXAMINE THE RECORDS OF A PARTICIPATING EMPLOYER TO DETERMINE WHETHER THE PAYMENT OF BENEFITS TO A PARTICIPANT AND THE PAYMENT OF CONTRIBUTIONS BY A PARTICIPATING EMPLOYER OR PARTICIPANT ARE AND WILL BE IN ACCORDANCE WITH THE PROVISIONS OF DIVISION II OF THIS ARTICLE.**

(B) WHENEVER AN AUDIT REVEALS THAT THE PAYMENT OF BENEFITS TO A PARTICIPANT OR THE PAYMENT OF CONTRIBUTIONS BY A PARTICIPATING EMPLOYER OR PARTICIPANT IS NOT IN ACCORDANCE WITH THE PROVISIONS OF DIVISION II OF THIS ARTICLE:

(1) THE STATE RETIREMENT AGENCY AND PARTICIPATING EMPLOYER SHALL CORRECT THEIR RECORDS; AND

(2) (I) THE PARTICIPATING EMPLOYER SHALL PAY ANY AMOUNTS OWED TO THE ACCUMULATION FUND OF THE APPROPRIATE STATE SYSTEM; AND

(II) THE MEMBER CONTRIBUTIONS OWED BY THE PARTICIPANT SHALL BE MADE BY THE PARTICIPANT IN ACCORDANCE WITH § 21–312(E) OF THIS TITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1089 – *Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications PG 411–11*.

This bill prohibits payments to slates that include a member of the County Council for Prince George's County or the Prince George's County Executive during the pendency of specified land use applications. It also alters the restriction on participation in specified planning and zoning matters by a member of the County Council for Prince George's County who received a specified political contribution or who belonged to a slate that received a specified contribution within a specified time period.

Senate Bill 902, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1089.

Sincerely,

Governor

House Bill 1089

AN ACT concerning

Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications

PG 411–11

FOR the purpose of prohibiting payments to be made, under certain circumstances, to slates that include a member of the County Council for Prince George's County or the Prince George's County Executive during the pendency of certain applications; expanding a prohibition on a member of the County Council voting or participating in certain applications if the member received certain payments during a certain period by including payments to certain slates; repealing a provision that allows a member to participate in certain applications if a certain affidavit is not filed; providing for the prospective application of this Act; and generally relating to the expansion of public ethics requirements in Prince George's County.

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–829(a), (d), (f), (l), and (p)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–829(m) and 15–831
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

15–829.

(a) In this Part IV the following words have the meanings indicated.

(d) "Application" means:

(1) an application for a zoning map amendment, special exception, departure from design standards, revision to a special exception site plan, expansion of a legal nonconforming use, revision to a legal nonconforming use site plan, or a request for a variance from the zoning ordinance;

(2) an application to approve a comprehensive design plan, a conceptual site plan, or a specific design plan; or

(3) participation in adopting and approving an area master plan or sectional map amendment by appearance at a public hearing, filing a statement in the official record, or other similar communication to a member of the County Council or the Planning Board, where the intent is to intensify the zoning category applicable to the land of the applicant.

(f) "Candidate" means a candidate for election to the County Council who becomes a member.

(l) "Member of the County Council" includes any candidate or person duly elected or appointed who takes the oath of office as a member of the County Council for Prince George's County and who thereby serves on the District Council.

(m) "Payment" means any payment or contribution of money or property or the incurring of any liability or promise of anything of value to a treasurer of a candidate **[**or of**]**, a **CANDIDATE'S** continuing political committee**, OR A SLATE TO WHICH THE CANDIDATE BELONGS**.

(p) "Slate" means a group, combination, or organization of candidates created under the provisions of the Election Law Article.

15–831.

(a) An applicant or agent of the applicant may not make a payment to a member of the County Council, **[**or to**]** the County Executive**, OR A SLATE THAT INCLUDES THE COUNTY EXECUTIVE OR A MEMBER OF THE COUNTY COUNCIL**, during the pendency of the application.

(b) (1) After an application has been filed, a member of the County Council may not vote or participate in any way in the proceeding on the application if the member's treasurer or **[**the member's**]** continuing political committee**, OR A SLATE TO WHICH THE MEMBER BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION,** received a payment**[**,**]** during the 36–month period before the filing of the application or during the pendency of the application**[**,**]** from any of the applicants or the agents of the applicants.

(2) A member is not subject to the requirements of paragraph (1) of this subsection if:

(i) **[**as to the application, no applicant or agent has filed an affidavit naming the member or the member's continuing political committee as the recipient of a payment; or

(ii) 1.**]** a transfer to the member's treasurer **[**or**], A** continuing political committee**, OR A SLATE TO WHICH THE MEMBER BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION** was made by a political action committee to which an applicant or agent had made a payment;

[2.**] (II)** the applicant or agent made the payment to the political action committee without any intent to subvert the purposes of this subtitle;

[3.**] (III)** the applicant's or agent's payment to the political action committee, and the political action committee's transfer, are disclosed in an affidavit; and

[4.**] (IV)** the transfer is returned to the political action committee by the member, or the payment is returned to the applicant or agent by the political action committee.

(c) (1) After an application is filed, the applicant shall file an affidavit, under oath, stating to the best of the applicant's information, knowledge, and belief that:

(i) 1. during the 36–month period before the filing of the application and during the pendency of the application, the applicant has not made any payment to **[**the treasurer of a candidate or**] A MEMBER'S OR CANDIDATE'S TREASURER, A MEMBER'S OR CANDIDATE'S** continuing political committee**, OR A SLATE TO WHICH THE MEMBER OR CANDIDATE BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**; or

2. if any such payment was made, discloses the name of the member to whose treasurer**[**,**]** or **[**whose**]** continuing political committee**, OR SLATE TO WHICH THE MEMBER BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**, the payment was made;

(ii) 1. during the 36–month period before the filing of the application and during the pendency of the application, the applicant has not solicited any person or business entity to make a payment to **[**the treasurer of a candidate or**] A MEMBER'S OR CANDIDATE'S TREASURER, A MEMBER'S OR CANDIDATE'S**

continuing political committee**, OR A SLATE TO WHICH THE MEMBER OR CANDIDATE BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**; or

2. if any such solicited payment was made, discloses the name of the member to whose treasurer**[**,**]** or **[**whose**]** continuing political committee**, OR SLATE TO WHICH THE MEMBER BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**, the payment was made; and

(iii) 1. during the 36–month period before the filing of the application and during the pendency of the application, a member of the applicant's household has not made a payment to **[**the treasurer of a candidate or**] A MEMBER'S OR CANDIDATE'S TREASURER, A MEMBER'S OR CANDIDATE'S** continuing political committee**, OR A SLATE TO WHICH THE MEMBER OR CANDIDATE BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**; or

2. if such a payment has been made, discloses the name of the member to whose treasurer**[**,**]** or **[**whose**]** continuing political committee**, OR SLATE TO WHICH THE MEMBER BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**, the payment was made.

(2) The affidavit may be filed any time prior to consideration of the application by the District Council, at the discretion of the applicant. However, in no event may the affidavit be filed less than 30 calendar days prior to consideration by the District Council of the application.

(3) A supplemental affidavit shall be filed whenever a payment is made after the original affidavit was filed.

(4) An applicant has no obligation to make any representations pertaining to the actions of anyone other than that applicant under the affidavit. In the case of business entities, anyone with authority to act on behalf of, and bind, the business entity may execute an affidavit on behalf of the business entity itself.

(5) The only disclosures required under the affidavit are those involving individuals or business entities that would be subject to the provisions of this subtitle.

(d) (1) An agent shall file an affidavit in an application only if:

(i) the agent has acted on behalf of the applicant with regard to the specific application; and

(ii) during the 36–month period before the filing of the application and during the pendency of the application, and after becoming an agent of the applicant:

1. the agent has made a payment to a **MEMBER OR** candidate **[**or**], A MEMBER'S OR CANDIDATE'S** continuing political committee**, OR A SLATE TO WHICH THE MEMBER OR CANDIDATE BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**; or

2. the agent has solicited any person to make a payment to **[**the treasurer of a candidate or**] A MEMBER'S OR CANDIDATE'S TREASURER,** a **MEMBER'S OR CANDIDATE'S** continuing political committee**, OR A SLATE TO WHICH THE MEMBER OR CANDIDATE BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION**.

(2) Notwithstanding the provisions of paragraph (1)(ii) of this subsection, an agent shall disclose in the affidavit a payment made before becoming an agent if the agent:

(i) made the payment by prearrangement or in coordination with one or more applicants; or

(ii) acted as an agent as to any other application filed during the 36–month period.

(e) (1) Except as provided in paragraph (2) of this subsection, a contributor, a member of the County Council, or a political action committee is subject to this Part IV if a payment is made by the contributor or a transfer is made by the political action committee to:

(i) the candidate; **[**or**]**

(ii) the candidate's continuing political committee**; OR**

(III) A SLATE TO WHICH THE MEMBER OR CANDIDATE BELONGS OR BELONGED DURING THE 36–MONTH PERIOD PRECEDING THE FILING OF THE APPLICATION.

(2) The provisions of this Part IV do not apply to:

(i) **[**any payment or transfer to a slate, unless the slate is composed solely of candidates or members of the County Council;

(ii)**]** any transfer to the continuing political committee of a candidate or member of the County Council by the continuing political committee of another individual running for elective office; or

[(iii)**] (II)** a payment or transfer to the Prince George's County Central Committee, or State Central Committee, of a political party, even if the Central Committee supports a candidate.

(3) A person may not make a payment in violation of this Part IV.

(f) An applicant or agent may not take any action, directly or indirectly, with the intent to circumvent the intent of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to prohibit a member of the Prince George's County Council from participating in a district council proceeding based on a payment made before January 1, 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1229 – *Prescription Drug Monitoring Program*.

This bill establishes the Prescription Drug Monitoring Program in the Department of Health and Mental Hygiene and establishes the mission of the Program which requires the Program to carry out its mission by monitoring the prescribing and dispensing of specified substances by specified prescribers and dispensers. This bill also establishes the Advisory Board on Prescription Drug Monitoring to assist in the design, implementation, and evaluation of the Program

Senate Bill 883, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1229.

Sincerely,

Governor

House Bill 1229

AN ACT concerning

Prescription Drug Monitoring Program

FOR the purpose of establishing the Prescription Drug Monitoring Program in the Department of Health and Mental Hygiene; establishing the mission of the Program; requiring the Program to carry out its mission by monitoring the prescribing and dispensing of certain substances by certain prescribers and dispensers; establishing the powers and duties of the Department and the Secretary of Health and Mental Hygiene under the Program; requiring dispensers to submit electronically certain information to the Program except in certain circumstances; establishing the Advisory Board on Prescription Drug Monitoring to assist in the design, implementation, and evaluation of the Program; establishing the membership, chair, terms of members, staff support, reimbursement, and responsibilities of the Board; <u>specifying the terms of the initial appointed members of the Board;</u> requiring the Secretary by regulation to establish training protocols and guidelines to assist in the interpretation and evaluation of prescription monitoring data; <u>establishing a technical advisory committee to the Program; establishing the membership and duties of the technical advisory committee;</u> providing that prescription monitoring data are confidential and privileged and not subject to certain means of legal compulsion except under certain circumstances; requiring the Program to disclose prescription monitoring data to certain agencies and persons under certain circumstances; <u>requiring the technical advisory committee to review certain information and provide certain guidance before the Program discloses information to certain agencies and persons;</u> authorizing the Program to disclose prescription monitoring data for certain purposes under certain circumstances; authorizing the Office of the Attorney General to seek certain relief to maintain the confidentiality of prescription monitoring data; authorizing the Program to provide prescription monitoring data to another state's prescription drug monitoring program under certain circumstances; authorizing the Program to request, receive, and use prescription monitoring data from another state's prescription drug monitoring program; authorizing the Program to enter into certain agreements with other states' prescription drug monitoring programs; <u>prohibiting prescription monitoring data from being used as the basis for imposing clinical practice standards;</u> establishing immunity from liability for certain agencies and persons relating to the operation and use of the Program; establishing penalties and disciplinary action for violations of the requirements of the Program; <u>providing that the release of prescription monitoring data in a certain manner is not a violation of the requirements of the Program;</u> providing for the termination of certain provisions of this Act and certain regulations, subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act; requiring

a certain evaluation of the Program to be made on or before a certain date; requiring the Program to develop a mechanism to allow certain persons to correct erroneous data reported to the Program; requiring the Department and the Board to report to the Governor and certain committees of the General Assembly on or before a certain date on certain matters relating to the Program; declaring the intent of the General Assembly regarding technology used by the Program; defining certain terms; and generally relating to the establishment and operation of the Prescription Drug Monitoring Program.

BY renumbering
Article – State Government
Section 8–403(b)(54) through (68), respectively
to be Section 8–403(b)(55) through (69), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – Health – General
Section 21–2A–01 through ~~21–2A–09~~ 21–2A–10 to be under the new subtitle "Subtitle 2A. Prescription Drug Monitoring Program"
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(54)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

Preamble

WHEREAS, Thousands of Marylanders suffer from chronic pain and other conditions that make access to pain medications and other pharmaceutical therapies necessary and beneficial; and

WHEREAS, Increasing numbers of Maryland adults and adolescents are engaging in prescription drug abuse and diversion to the detriment of their health and welfare; and

WHEREAS, Maryland should have a Prescription Drug Monitoring Program that supports the lawful use of controlled substances without interfering with legitimate professional practice and patient care; and

WHEREAS, A Prescription Drug Monitoring Program should assist health care and public health~~, public health, and law enforcement~~ professionals in the identification~~, treatment,~~ and prevention of prescription drug abuse and in the identification and investigation of unlawful prescription drug diversion; and

WHEREAS, Data concerning monitored prescription drugs under a Prescription Drug Monitoring Program would be available for research purposes, including research about the effects of the Prescription Drug Monitoring Program; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8–403(b)(54) through (68), Respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(55) through (69), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

SUBTITLE 2A. PRESCRIPTION DRUG MONITORING PROGRAM.

21–2A–01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "BOARD" MEANS THE ADVISORY BOARD ON PRESCRIPTION DRUG MONITORING.

(C) (1) "DISPENSE" HAS THE MEANING STATED IN § 12–101 OF THE HEALTH OCCUPATIONS ARTICLE.

(2) "DISPENSE" DOES NOT INCLUDE:

(I) DIRECTLY ADMINISTERING A MONITORED PRESCRIPTION DRUG TO A PATIENT; OR

(II) GIVING OUT PRESCRIPTION DRUG SAMPLES.

(D) (1) "DISPENSER" MEANS A PERSON AUTHORIZED BY LAW TO DISPENSE A MONITORED PRESCRIPTION DRUG TO A PATIENT OR THE PATIENT'S AGENT IN THE STATE.

(2) "DISPENSER" INCLUDES A NONRESIDENT PHARMACY.

(3) "DISPENSER" DOES NOT INCLUDE:

(I) A LICENSED HOSPITAL PHARMACY THAT ONLY DISPENSES A MONITORED PRESCRIPTION DRUG FOR DIRECT ADMINISTRATION TO AN INPATIENT OF THE HOSPITAL; ~~AND~~

(II) AN OPIOID MAINTENANCE PROGRAM;

(III) A VETERINARIAN LICENSED UNDER TITLE 2, SUBTITLE 3 OF THE AGRICULTURE ARTICLE WHEN PRESCRIBING CONTROLLED SUBSTANCES FOR ANIMALS IN THE USUAL COURSE OF PROVIDING PROFESSIONAL SERVICES;

(IV) A PHARMACY ISSUED A WAIVER PERMIT UNDER COMAR 10.34.17.03 THAT PROVIDES PHARMACEUTICAL SPECIALTY SERVICES EXCLUSIVELY TO PERSONS LIVING IN ASSISTED LIVING FACILITIES, COMPREHENSIVE CARE FACILITIES, AND DEVELOPMENTAL DISABILITIES FACILITIES; AND

(V) A PHARMACY THAT:

1. DISPENSES MEDICATIONS TO AN INPATIENT HOSPICE; AND

2. HAS BEEN GRANTED A WAIVER UNDER § 21–2A–03(F) OF THIS SUBTITLE.

(E) "LICENSING ENTITY" MEANS AN ENTITY AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO LICENSE, REGULATE, OR DISCIPLINE A PRESCRIBER OR DISPENSER.

(F) "MONITORED PRESCRIPTION DRUG" MEANS A PRESCRIPTION DRUG THAT CONTAINS A SCHEDULE II, SCHEDULE III, SCHEDULE IV, OR SCHEDULE V CONTROLLED DANGEROUS SUBSTANCE DESIGNATED UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE.

(G) "OPIOID MAINTENANCE PROGRAM" MEANS A PROGRAM THAT:

(1) IS LICENSED BY THE STATE UNDER § 8–404 OF THIS ARTICLE;

(2) IS AUTHORIZED TO TREAT PATIENTS WITH OPIOID DEPENDENCE WITH A MEDICATION APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR OPIOID DEPENDENCE;

(3) COMPLIES WITH:

(I) THE CODE OF FEDERAL REGULATIONS 42, PART 8;

(II) COMAR 10.47.02.11; AND

(III) REQUIREMENTS FOR THE SECURE STORAGE AND ACCOUNTING OF OPIOID MEDICATION IMPOSED BY THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION AND THE STATE DIVISION OF DRUG CONTROL; AND

(4) HAS BEEN GRANTED A CERTIFICATION FOR OPERATION BY THE DEPARTMENT, THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, AND THE FEDERAL CENTER FOR SUBSTANCE ABUSE TREATMENT.

~~(G)~~ (H) "PRESCRIBER" MEANS A LICENSED HEALTH CARE PROFESSIONAL AUTHORIZED BY LAW TO PRESCRIBE A MONITORED PRESCRIPTION DRUG.

~~(H)~~ (I) "PRESCRIPTION DRUG" HAS THE MEANING STATED IN § 21–201 OF THIS TITLE.

~~(I)~~ (J) "PRESCRIPTION MONITORING DATA" MEANS THE INFORMATION SUBMITTED TO THE PROGRAM FOR A MONITORED PRESCRIPTION DRUG.

~~(J)~~ (K) "PROGRAM" MEANS THE PRESCRIPTION DRUG MONITORING PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

21–2A–02.

(A) THERE IS A PRESCRIPTION DRUG MONITORING PROGRAM IN THE DEPARTMENT.

(B) THE MISSION OF THE PROGRAM IS TO:

(1) ASSIST PRESCRIBERS, DISPENSERS, AND PUBLIC HEALTH PROFESSIONALS IN:

(I) THE IDENTIFICATION~~, TREATMENT,~~ AND PREVENTION OF PRESCRIPTION DRUG ABUSE; AND

(II) THE IDENTIFICATION AND INVESTIGATION OF UNLAWFUL PRESCRIPTION DRUG DIVERSION; AND

(2) PROMOTE A BALANCED USE OF PRESCRIPTION MONITORING DATA TO ASSIST APPROPRIATE LAW ENFORCEMENT ACTIVITIES WHILE PRESERVING THE PROFESSIONAL PRACTICE OF HEALTH CARE PROVIDERS AND THE ACCESS OF PATIENTS TO OPTIMAL PHARMACEUTICAL CARE.

(C) TO CARRY OUT ITS MISSION, THE PROGRAM SHALL MONITOR THE PRESCRIBING AND DISPENSING OF ALL SCHEDULE II, SCHEDULE III, SCHEDULE IV, AND SCHEDULE V CONTROLLED DANGEROUS SUBSTANCES BY ALL PRESCRIBERS AND DISPENSERS IN THE STATE.

21–2A–03.

(A) THE DEPARTMENT SHALL IMPLEMENT THE PROGRAM, SUBJECT TO THE AVAILABILITY OF FUNDS.

(B) THE SECRETARY MAY:

(1) ASSIGN RESPONSIBILITY FOR THE OPERATION OF THE PROGRAM TO ANY UNIT IN THE DEPARTMENT; AND

(2) CONTRACT WITH ANY QUALIFIED PERSON FOR THE EFFICIENT AND ECONOMICAL OPERATION OF THE PROGRAM.

(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, EACH DISPENSER SHALL SUBMIT PRESCRIPTION MONITORING DATA TO THE PROGRAM BY ELECTRONIC MEANS, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY.

(D) THE SECRETARY, FOR GOOD CAUSE SHOWN, MAY AUTHORIZE A DISPENSER TO SUBMIT PRESCRIPTION MONITORING DATA BY AN ALTERNATIVE FORM OF SUBMISSION.

(E) THE SECRETARY, IN CONSULTATION WITH <u>THE MARYLAND HEALTH CARE COMMISSION AND</u> THE BOARD, SHALL:

(1) ~~ESTABLISH A WEB SITE FOR THE PROGRAM~~ DETERMINE THE APPROPRIATE TECHNOLOGY TO SUPPORT THE OPERATION OF THE PROGRAM; AND

(2) EDUCATE DISPENSERS, PRESCRIBERS, AND CONSUMERS ABOUT THE PURPOSE AND OPERATION OF THE PROGRAM.

(F) (1) THE SECRETARY SHALL GRANT A WAIVER TO A PHARMACY THAT DISPENSES MEDICATIONS TO AN INPATIENT HOSPICE FROM REPORTING TO THE PROGRAM PRESCRIPTION MONITORING DATA FOR HOSPICE INPATIENTS IF:

(I) THE PHARMACY DEMONSTRATES HOW IT WILL DISTINGUISH HOSPICE INPATIENTS FROM OTHER CONSUMERS RECEIVING MEDICATIONS FROM THE PHARMACY; AND

(II) THE PHARMACY AGREES THAT IT WILL BE SUBJECT TO ONSITE, UNANNOUNCED INSPECTIONS BY THE DEPARTMENT TO VERIFY ITS REPORTING OF THE PRESCRIPTION DATA OF CONSUMERS WHO ARE NOT HOSPICE INPATIENTS.

(2) A WAIVER GRANTED UNDER THIS SUBSECTION MAY REMAIN IN EFFECT FOR UP TO 2 YEARS.

(3) THE SECRETARY MAY ESTABLISH AN APPLICATION PROCESS FOR A PHARMACY TO APPLY FOR A WAIVER UNDER THIS SUBSECTION.

21–2A–04.

(A) THE SECRETARY, IN CONSULTATION WITH THE BOARD, SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

(B) THE REGULATIONS ADOPTED BY THE SECRETARY SHALL:

(1) SPECIFY THE PRESCRIPTION MONITORING DATA REQUIRED TO BE SUBMITTED UNDER § 21–2A–03 OF THIS SUBTITLE;

(2) SPECIFY THE ELECTRONIC OR OTHER MEANS BY WHICH INFORMATION IS TO BE SUBMITTED:

(I) WITHOUT UNDULY INCREASING THE WORKLOAD AND EXPENSE ON DISPENSERS ~~AND PRESCRIBERS~~; AND

(II) IN A MANNER AS COMPATIBLE AS POSSIBLE WITH EXISTING DATA SUBMISSION PRACTICES OF DISPENSERS;

(3) SPECIFY THAT THE PROGRAM:

(I) SHALL PROVIDE THE INFORMATION TECHNOLOGY SOFTWARE TO DISPENSERS NECESSARY TO UPLOAD PRESCRIPTION DRUG MONITORING DATA TO THE PROGRAM; AND

(II) MAY NOT IMPOSE ANY FEES OR OTHER ASSESSMENTS ON PRESCRIBERS OR DISPENSERS TO SUPPORT THE OPERATION OF THE PROGRAM;

~~(3)~~ (4) SPECIFY THAT A PRESCRIBER OR DISPENSER IS NOT REQUIRED OR OBLIGATED TO ACCESS OR USE PRESCRIPTION MONITORING DATA AVAILABLE UNDER THE PROGRAM;

~~(4)~~ (5) IDENTIFY THE MECHANISM BY WHICH PRESCRIPTION MONITORING DATA ARE DISCLOSED TO A PERSON, IN ACCORDANCE WITH § 21–2A–07 OF THIS SUBTITLE;

~~(5)~~ (6) IDENTIFY THE CIRCUMSTANCES UNDER WHICH A PERSON MAY DISCLOSE PRESCRIPTION MONITORING DATA RECEIVED UNDER THE PROGRAM;

~~(6) ESTABLISH TRAINING PROTOCOLS AND GUIDELINES TO ASSIST LAW ENFORCEMENT AGENCIES AND LICENSING ENTITIES IN THE APPROPRIATE INTERPRETATION AND EVALUATION OF PRESCRIPTION MONITORING DATA IN THE CONTEXT OF THE NATURE OF:~~

~~(I) A PRESCRIBER'S OR DISPENSER'S PRACTICE;~~

~~(II) A PATIENT'S MEDICAL CONDITION; OR~~

~~(III) ANY OTHER RELEVANT FACTS;~~

(7) ESTABLISH REQUIREMENTS FOR PROGRAM RETENTION OF PRESCRIPTION MONITORING DATA FOR 3 YEARS; AND

(8) REQUIRE THAT:

(I) CONFIDENTIAL OR PRIVILEGED PATIENT INFORMATION BE KEPT CONFIDENTIAL; AND

(II) RECORDS OR INFORMATION PROTECTED BY A PRIVILEGE BETWEEN A HEALTH CARE PROVIDER AND A PATIENT, OR OTHERWISE REQUIRED BY LAW TO BE HELD CONFIDENTIAL, BE FILED IN A MANNER THAT, EXCEPT AS OTHERWISE PROVIDED IN ~~§ 21–2A–07~~ § 21–2A–06 OF THIS SUBTITLE, DOES NOT DISCLOSE THE IDENTITY OF THE PERSON PROTECTED.

21–2A–05.

(A) THERE IS AN ~~ADVISORY BOARD ON PRESCRIPTION DRUG MONITORING~~ ADVISORY BOARD ON PRESCRIPTION DRUG MONITORING IN THE DEPARTMENT.

~~(B) THE SECRETARY SHALL APPOINT MEMBERS TO THE BOARD, INCLUDING MEMBERS REPRESENTING THE PERSPECTIVE OF:~~

~~(1) PRESCRIBERS;~~

~~(2) DISPENSERS;~~

~~(3) LICENSING ENTITIES;~~

~~(4) HEALTH CARE PRACTITIONERS WITH EXPERTISE IN THE AREAS OF PAIN MANAGEMENT, SUBSTANCE ABUSE TREATMENT, AND ADDICTION TREATMENT;~~

~~(5) LAW ENFORCEMENT;~~

~~(6) PAIN PATIENTS; AND~~

~~(7) ANY OTHER INDIVIDUAL OR REPRESENTATIVE AT THE SECRETARY'S DISCRETION.~~

~~(C) THE SECRETARY SHALL:~~

~~(1) DESIGNATE THE CHAIR OF THE BOARD;~~

~~(2) DETERMINE THE NUMBER OF BOARD MEMBERS AND ENSURE BALANCED REPRESENTATION ON THE BOARD OF THE GROUPS DESCRIBED IN SUBSECTION (B) OF THIS SECTION;~~

~~(3) DETERMINE THE TERMS OF BOARD MEMBERS;~~

~~(4) FILL VACANCIES ON THE BOARD; AND~~

~~(5) PROVIDE STAFF SUPPORT FOR THE BOARD.~~

(B) THE BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS:

(1) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(2) THE PRESIDENT OF THE MARYLAND BOARD OF PHARMACY, OR THE PRESIDENT'S DESIGNEE;

(3) THE CHAIR OF THE MARYLAND BOARD OF PHYSICIANS, OR THE CHAIR'S DESIGNEE;

(4) THE PRESIDENT OF THE MARYLAND BOARD OF NURSING, OR THE PRESIDENT'S DESIGNEE;

(5) THE CHAIRMAN OF THE MARYLAND HEALTH CARE COMMISSION, OR THE CHAIRMAN'S DESIGNEE;

(6) FOUR PHYSICIANS AND ONE NURSE PRACTITIONER WITH EXPERTISE IN CLINICAL TREATMENT USING CONTROLLED DANGEROUS SUBSTANCES, INCLUDING PAIN MANAGEMENT, SUBSTANCE ABUSE, AND BEHAVIORAL DISORDERS, APPOINTED BY THE SECRETARY AFTER CONSULTATION WITH:

(I) FOR THE PHYSICIAN APPOINTMENTS, THE MEDICAL AND CHIRURGICAL FACULTY OF MARYLAND, THE MARYLAND PHYSICAL MEDICINE AND REHABILITATION SOCIETY, THE MARYLAND SOCIETY OF ANESTHESIOLOGISTS, THE MARYLAND–D.C. SOCIETY OF CLINICAL ONCOLOGY, THE HOSPICE AND PALLIATIVE CARE NETWORK OF MARYLAND, AND THE MARYLAND CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS; AND

(II) FOR THE NURSE PRACTITIONER APPOINTMENT, THE MARYLAND NURSES ASSOCIATION;

(7) ONE PEDIATRICIAN, APPOINTED BY THE SECRETARY AFTER CONSULTATION WITH THE MARYLAND CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS;

(8) THREE PHARMACISTS WHO REPRESENT THE PERSPECTIVE OF INDEPENDENT AND CHAIN PHARMACIES, APPOINTED BY THE SECRETARY AFTER CONSULTATION WITH THE MARYLAND PHARMACISTS ASSOCIATION, THE

MARYLAND ASSOCIATION OF CHAIN DRUG STORES, AND ANY OTHER APPROPRIATE ORGANIZATION;

(9) A LOCAL LAW ENFORCEMENT OFFICIAL, APPOINTED BY THE SECRETARY AFTER CONSULTATION WITH THE MARYLAND CHIEFS OF POLICE ASSOCIATION AND THE MARYLAND SHERIFF'S ASSOCIATION;

(10) TWO MARYLAND RESIDENTS WHO REPRESENT THE PERSPECTIVE OF PATIENTS, APPOINTED BY THE SECRETARY.

(C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE BOARD.

(D) (1) THE TERM OF A MEMBER APPOINTED BY THE SECRETARY IS 3 YEARS.

(2) THE TERMS OF MEMBERS APPOINTED BY THE SECRETARY ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2011.

(3) IF A VACANCY OCCURS DURING THE TERM OF AN APPOINTED MEMBER, THE SECRETARY SHALL APPOINT A SUCCESSOR WHO SHALL SERVE UNTIL THE TERM EXPIRES.

~~(D)~~ (E) A MEMBER OF THE BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

~~(E)~~ (F) THE BOARD SHALL:

(1) MEET NOT FEWER THAN THREE TIMES ANNUALLY;

(2) MAKE RECOMMENDATIONS TO THE SECRETARY RELATING TO THE DESIGN AND IMPLEMENTATION OF THE PROGRAM, INCLUDING RECOMMENDATIONS RELATING TO:

(I) REGULATIONS;

(II) LEGISLATION; AND

(III) SOURCES OF FUNDING, INCLUDING GRANT FUNDS UNDER THE HAROLD ROGERS PRESCRIPTION DRUG MONITORING PROGRAM AND OTHER SOURCES OF FEDERAL, PRIVATE, OR STATE FUNDS;

(3) (I) PROVIDE WITHIN 180 DAYS AFTER ITS FIRST MEETING, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, AN INTERIM REPORT TO THE GENERAL ASSEMBLY SETTING FORTH THE BOARD'S ANALYSIS AND RECOMMENDATIONS UNDER ITEM (2) OF THIS SUBSECTION RELATING TO THE DESIGN, IMPLEMENTATION, AND FUNDING OF THE PROGRAM; AND

(II) PROVIDE ANNUALLY TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY AN ANALYSIS OF THE IMPACT OF THE PROGRAM ON PATIENT ACCESS TO PHARMACEUTICAL CARE AND ON CURBING PRESCRIPTION DRUG DIVERSION IN THE STATE, INCLUDING ANY RECOMMENDATIONS RELATED TO MODIFICATION OR CONTINUATION OF THE PROGRAM; AND

(4) PROVIDE ONGOING ADVICE AND CONSULTATION ON THE IMPLEMENTATION AND OPERATION OF THE PROGRAM, INCLUDING RECOMMENDATIONS RELATING TO:

(I) CHANGES IN THE PROGRAM TO REFLECT ADVANCES IN TECHNOLOGY AND BEST PRACTICES IN THE FIELD OF ELECTRONIC HEALTH RECORDS AND ELECTRONIC PRESCRIPTION MONITORING;

(II) CHANGES TO STATUTORY REQUIREMENTS; AND

(III) THE DESIGN AND IMPLEMENTATION OF AN ONGOING EVALUATION COMPONENT OF THE PROGRAM.

<u>(G) THE SECRETARY AND THE BOARD SHALL CONSULT WITH STAKEHOLDERS AND PROFESSIONALS KNOWLEDGEABLE ABOUT PRESCRIPTION DRUG MONITORING PROGRAMS AS APPROPRIATE TO OBTAIN INPUT AND GUIDANCE ABOUT IMPLEMENTATION OF THE PROGRAM.</u>

21–2A–06.

(A) PRESCRIPTION MONITORING DATA:

(1) ARE CONFIDENTIAL AND PRIVILEGED, AND NOT SUBJECT TO DISCOVERY, SUBPOENA, OR OTHER MEANS OF LEGAL COMPULSION IN CIVIL LITIGATION;

(2) ARE NOT PUBLIC RECORDS; AND

(3) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS SECTION OR AS OTHERWISE PROVIDED BY LAW, MAY NOT BE DISCLOSED TO ANY PERSON.

(B) THE PROGRAM SHALL DISCLOSE PRESCRIPTION MONITORING DATA, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY, TO:

(1) A PRESCRIBER, OR ~~ANY OTHER PERSON~~ A LICENSED HEALTH CARE PRACTITIONER AUTHORIZED BY THE PRESCRIBER, IN CONNECTION WITH THE MEDICAL CARE OF A PATIENT;

(2) A DISPENSER, OR ~~ANY OTHER PERSON~~ A LICENSED HEALTH CARE PRACTITIONER AUTHORIZED BY THE DISPENSER, IN CONNECTION WITH THE DISPENSING OF A MONITORED PRESCRIPTION DRUG;

(3) A FEDERAL LAW ENFORCEMENT AGENCY OR A STATE OR LOCAL LAW ENFORCEMENT AGENCY, ON ISSUANCE OF A SUBPOENA, FOR THE PURPOSE OF FURTHERING AN EXISTING BONA FIDE INDIVIDUAL INVESTIGATION;

(4) A LICENSING ENTITY, ON ISSUANCE OF AN ADMINISTRATIVE SUBPOENA VOTED ON BY A QUORUM OF THE BOARD OF THE LICENSING ENTITY, FOR THE PURPOSES OF FURTHERING AN EXISTING BONA FIDE INDIVIDUAL INVESTIGATION;

(5) A REHABILITATION PROGRAM UNDER A HEALTH OCCUPATIONS BOARD, ON ISSUANCE OF AN ADMINISTRATIVE SUBPOENA;

~~(5)~~ (6) A PATIENT WITH RESPECT TO PRESCRIPTION MONITORING DATA ABOUT THE PATIENT;

~~(6)~~ (7) ~~AN~~ SUBJECT TO SUBSECTION (G) OF THIS SECTION, THE AUTHORIZED ADMINISTRATOR OF ANOTHER STATE'S PRESCRIPTION DRUG MONITORING PROGRAM; ~~OR~~

~~(7)~~ (8) ~~A UNIT~~ THE FOLLOWING UNITS OF THE DEPARTMENT, ON APPROVAL OF THE SECRETARY, FOR THE PURPOSE OF FURTHERING AN EXISTING BONA FIDE INDIVIDUAL INVESTIGATION:

(I) THE OFFICE OF THE CHIEF MEDICAL EXAMINER;

(II) THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(III) THE OFFICE OF THE INSPECTOR GENERAL; AND

(IV) THE OFFICE OF HEALTH CARE QUALITY; OR

(9) THE TECHNICAL ADVISORY COMMITTEE ESTABLISHED UNDER § 21–2A–07 OF THIS SUBTITLE FOR THE PURPOSES SET FORTH IN SUBSECTION (C) OF THIS SECTION.

(C) BEFORE THE PROGRAM DISCLOSES INFORMATION UNDER SUBSECTION (B)(3), (4), (5), (7), OR (8) OF THIS SECTION, THE TECHNICAL ADVISORY COMMITTEE TO THE PROGRAM SHALL:

(1) REVIEW THE REQUESTS FOR INFORMATION;

(2) PROVIDE CLINICAL GUIDANCE AND INTERPRETATION OF THE INFORMATION REQUESTED TO THE SECRETARY TO ASSIST IN THE SECRETARY'S DECISION ON HOW TO RESPOND TO A JUDICIAL SUBPOENA, ADMINISTRATIVE SUBPOENA, OR OTHER REQUEST; AND

(3) PROVIDE CLINICAL GUIDANCE AND INTERPRETATION OF THE INFORMATION REQUESTED TO THE AUTHORIZED RECIPIENT OF THE INFORMATION.

~~(C)~~ (D) EXCEPT AS PROVIDED BY REGULATIONS ADOPTED BY THE SECRETARY, A PERSON WHO RECEIVES PRESCRIPTION MONITORING DATA FROM THE PROGRAM MAY NOT DISCLOSE THE DATA.

~~(D)~~ (E) (1) IN ADDITION TO THE DISCLOSURES REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE PROGRAM MAY DISCLOSE PRESCRIPTION MONITORING DATA FOR RESEARCH, ANALYSIS, PUBLIC REPORTING, AND EDUCATION:

(I) AFTER REDACTION OF ALL INFORMATION THAT COULD IDENTIFY A PATIENT, PRESCRIBER, DISPENSER, OR ANY OTHER INDIVIDUAL; AND

(II) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY.

(2) THE SECRETARY MAY REQUIRE SUBMISSION OF AN ABSTRACT EXPLAINING THE SCOPE AND PURPOSE OF THE RESEARCH, ANALYSIS, PUBLIC REPORTING, OR EDUCATION BEFORE DISCLOSING PRESCRIPTION MONITORING DATA UNDER THIS SUBSECTION.

~~(E)~~ (F) THE OFFICE OF THE ATTORNEY GENERAL MAY SEEK APPROPRIATE INJUNCTIVE OR OTHER RELIEF TO MAINTAIN THE CONFIDENTIALITY OF PRESCRIPTION MONITORING DATA AS REQUIRED UNDER THIS SECTION.

~~(F)~~ (G) THE PROGRAM MAY~~:~~

~~(1) PROVIDE~~ PROVIDE PRESCRIPTION MONITORING DATA TO ANOTHER STATE'S PRESCRIPTION DRUG MONITORING PROGRAM~~, PROVIDED~~ ONLY IF THE OTHER STATE'S PRESCRIPTION DRUG MONITORING PROGRAM AGREES TO USE THE PRESCRIPTION MONITORING DATA IN A MANNER CONSISTENT WITH THE PROVISIONS OF THIS SUBTITLE~~;~~ .

(H) THE PROGRAM MAY:

~~(2)~~ (1) REQUEST AND RECEIVE PRESCRIPTION MONITORING DATA FROM ANOTHER STATE'S PRESCRIPTION DRUG MONITORING PROGRAM AND USE THE PRESCRIPTION MONITORING DATA IN A MANNER CONSISTENT WITH THE PROVISIONS OF THIS SUBTITLE; AND

~~(3)~~ (2) DEVELOP THE CAPABILITY TO TRANSMIT PRESCRIPTION MONITORING DATA TO AND RECEIVE PRESCRIPTION MONITORING DATA FROM OTHER PRESCRIPTION DRUG MONITORING PROGRAMS EMPLOYING THE STANDARDS OF INTEROPERABILITY.

~~(G)~~ (I) THE PROGRAM MAY ENTER INTO WRITTEN AGREEMENTS WITH OTHER STATES' PRESCRIPTION DRUG MONITORING PROGRAMS FOR THE PURPOSE OF ESTABLISHING THE TERMS AND CONDITIONS FOR SHARING PRESCRIPTION MONITORING DATA UNDER THIS SECTION.

(J) PRESCRIPTION MONITORING DATA MAY NOT BE USED AS THE BASIS FOR IMPOSING CLINICAL PRACTICE STANDARDS.

21–2A–07.

(A) THERE IS A TECHNICAL ADVISORY COMMITTEE TO THE PROGRAM.

(B) THE PURPOSE OF THE TECHNICAL ADVISORY COMMITTEE IS TO REVIEW REQUESTS FOR INFORMATION FROM THE PROGRAM UNDER § 21–2A–06(B)(3), (4), (5), (7), AND (8) OF THIS SUBTITLE.

(C) THE TECHNICAL ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY:

(1) A BOARD CERTIFIED ANESTHESIOLOGIST LICENSED AND PRACTICING IN THE STATE, NOMINATED BY THE MARYLAND SOCIETY OF ANESTHESIOLOGISTS;

(2) A CERTIFIED ADDICTION MEDICINE SPECIALIST LICENSED AND PRACTICING IN THE STATE, NOMINATED BY THE MARYLAND SOCIETY FOR ADDICTION MEDICINE;

(3) A PHARMACIST LICENSED AND PRACTICING IN THE STATE;

(4) A MEDICAL PROFESSIONAL, LICENSED AND PRACTICING IN THE STATE, WHO IS TREATING CANCER PATIENTS; AND

(5) A BOARD CERTIFIED PHYSICIAN SPECIALIZING IN THE TREATMENT OF PATIENTS WITH PAIN, LICENSED AND PRACTICING IN THE STATE, NOMINATED BY THE MARYLAND SOCIETY OF PHYSICAL MEDICINE AND REHABILITATION.

21–2A–08.

(A) ~~THE~~ WITH RESPECT TO THE ADMINISTRATION AND OPERATION OF THE PROGRAM, THE DEPARTMENT AND ITS AGENTS AND EMPLOYEES ARE NOT SUBJECT TO LIABILITY ARISING FROM:

(1) THE INACCURACY OF ANY INFORMATION SUBMITTED TO THE PROGRAM IN ACCORDANCE WITH THIS SUBTITLE; OR

(2) THE UNAUTHORIZED USE OR DISCLOSURE OF PRESCRIPTION MONITORING DATA ~~PROVIDED TO~~ BY A PERSON TO WHOM THE PROGRAM WAS AUTHORIZED TO PROVIDE THE PRESCRIPTION MONITORING DATA UNDER THIS SUBTITLE.

(B) A PRESCRIBER OR DISPENSER, ACTING IN GOOD FAITH, IS NOT SUBJECT TO LIABILITY OR DISCIPLINARY ACTION ARISING SOLELY FROM:

(1) REQUESTING OR RECEIVING, OR FAILING TO REQUEST OR RECEIVE, PRESCRIPTION MONITORING DATA FROM THE PROGRAM; OR

(2) ACTING, OR FAILING TO ACT, ON THE BASIS OF PRESCRIPTION MONITORING DATA PROVIDED BY THE PROGRAM.

~~21–2A–08.~~ 21–2A–09.

(A) A DISPENSER WHO KNOWINGLY FAILS TO SUBMIT PRESCRIPTION MONITORING DATA TO THE PROGRAM AS REQUIRED UNDER THIS SUBTITLE SHALL BE SUBJECT TO A CIVIL PENALTY NOT EXCEEDING $500 FOR EACH FAILURE TO SUBMIT REQUIRED INFORMATION.

~~**(B) A PRESCRIBER OR DISPENSER WHO KNOWINGLY VIOLATES ANY PROVISION OF THIS SUBTITLE IS LIABLE FOR:**~~

~~**(1) ACTUAL DAMAGES; AND**~~

~~**(2) REASONABLE ATTORNEY'S FEES.**~~

~~**(C)**~~ **(B) (1) A PERSON WHO KNOWINGLY ~~DISCLOSES OR USES~~ DISCLOSES, USES, OBTAINS, OR ATTEMPTS TO OBTAIN BY FRAUD OR DECEIT, PRESCRIPTION MONITORING DATA IN VIOLATION OF THIS SUBTITLE SHALL BE GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING $10,000 OR BOTH.**

(2) IN ADDITION TO THE PENALTIES UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PRESCRIBER OR DISPENSER WHO KNOWINGLY DISCLOSES OR USES PRESCRIPTION MONITORING DATA IN VIOLATION OF THIS SUBTITLE SHALL BE SUBJECT TO DISCIPLINARY ACTION BY THE APPROPRIATE LICENSING ENTITY.

(3) THE RELEASE OF PRESCRIPTION MONITORING DATA BY A PRESCRIBER OR DISPENSER TO A LICENSED HEALTH CARE PROFESSIONAL SOLELY FOR TREATMENT PURPOSES IN A MANNER OTHERWISE CONSISTENT WITH STATE AND FEDERAL LAW IS NOT A VIOLATION OF THIS SUBTITLE.

~~**21–2A–09.**~~ **21–2A–10.**

SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE MARYLAND PROGRAM EVALUATION ACT, THIS SUBTITLE AND ALL REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, 2016.

Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(54) PRESCRIPTION DRUG MONITORING PROGRAM IN THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE (§ 21–2A–02 OF THE HEALTH – GENERAL ARTICLE: JULY 1, 2015);

SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial appointed members of the Advisory Board on Prescription Drug Monitoring established under Section 2 of this Act shall expire as follows:

(1) four members in 2013;

(2) four members in 2014; and

(3) three members in 2015.

SECTION 4. AND BE IT FURTHER ENACTED, That the Prescription Drug Monitoring Program established under Section 2 of this Act shall develop a mechanism to allow a patient or the patient's prescriber to correct erroneous data reported to the Program relating to the patient's prescription history.

SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December 1, 2012, the Department and the Advisory Board on Prescription Drug Monitoring established under Section 2 of this Act shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee on:

(1) the status and funding of the Prescription Drug Monitoring Program established under Section 2 of this Act;

(2) feedback from stakeholders on the operations of the Program;

(3) any recommendations from the Department and the Advisory Board to improve the operations of the Program; and

(4) whether a legislative safe harbor provision is recommended to address any access issues experienced by patients after implementation of the Program.

SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Secretary of Health and Mental Hygiene, in adopting regulations for the Prescription Drug Monitoring Program established under Section 2 of this Act, shall ensure that the technology used by the Program to report

prescription monitoring data to authorized recipients is not subject to manipulation by the recipient.

SECTION ~~3.~~ 7. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1243 – *Alcoholic Beverages – Baltimore County – License Fees.*

This bill alters alcoholic beverages license fees within Baltimore County.

Senate Bill 875, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1243.

Sincerely,

Governor

House Bill 1243

AN ACT concerning

Alcoholic Beverages – Baltimore County ~~Executive and County Council of Baltimore County~~ – License Fees

FOR the purpose of ~~repealing certain alcoholic beverages license fees in Baltimore County; authorizing the Baltimore County Executive and the County Council of Baltimore County to establish alcoholic beverages license fees within Baltimore County; and generally relating to the Baltimore County Executive and the County Council of Baltimore County regulating~~ altering alcoholic beverages license fees within Baltimore County; and generally relating to alcoholic beverages license fees in Baltimore County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 4–201(a)(2), 5–101(a)(1), 5–201(a)(1), 5–301(a)(1), 5–401(a)(1), 6–101(a)(1), 6–201(a)(1), 6–301(a)(1), 6–401(a)(1), ~~6–702(b),~~ 7–101(b)(1)(i) and (d)(1)(i), 8–204(c), 8–204.1(c), 8–304(a), 8–404(a)(1), ~~8–404.1(a), (b), and (e)~~ and 8–802(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 5–101(e), 5–201(e)(1), 5–301(e), 5–401(e)(1), 6–101(e), 6–201(e)(2), 6–301(e), 6–401(e)(2), ~~6–702(g),~~ 7–101(b)(4) and (d)(4)(i), 8–204(e), 8–204.1(e), 8–304(d), 8–404(a)(5), ~~8–404.1(d), 8–601,~~ and 8–802(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 4–201(b)(8) ~~and 18–105~~
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

4–201.

(a) A Class A light wine license may be issued only in:

(2) Baltimore County;

(b) **(8) IN BALTIMORE COUNTY, THE FEE FOR THIS LICENSE ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE~~ IS $100.**

5–101.

(a) (1) A Class A beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer and light wines at retail, in any quantity to any consumers, at the place described in the license. The holder shall deliver the beer and light wines in a sealed package or container, which package or container may not be opened nor its contents consumed on the premises where sold.

(e) In Baltimore County the annual license fee **[**is $100**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $250**.

5–201.

(a) (1) A Class B beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder may keep for sale and sell beer and light wines at retail at any hotel or restaurant, at the place described in the license, for consumption on the premises or elsewhere.

(e) (1) In Baltimore County the annual license fee **[**is $150**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $300**.

5–301.

(a) (1) Except as provided in subsection (n) of this section, a Class C beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer and light wines at retail to bona fide members and their guests, at any club, at the place described in the license, for consumption on the premises only.

(e) In Baltimore County the annual license fee **[**is $35**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $150**.

5–401.

(a) (1) A Class D beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes its holder to keep for sale and to sell beer and light wines at retail, at the place described in the license, for consumption on the premises or elsewhere. The license may not be issued for any drugstore.

(e) (1) In Baltimore County the annual license fee **[**is $100**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $250**.

6–101.

(a) (1) A Class A beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes the holder to keep for sale and to sell all alcoholic beverages at retail, in any quantity, at the place described in the license. The licensee shall deliver the alcoholic beverages in a sealed package or container and the package or container may not be opened nor its contents consumed on the premises where sold.

(e) In Baltimore County the annual license fee **[**is $600**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $900**.

6–201.

(a) (1) A Class B beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located, and the license authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel or restaurant at the place described, for consumption on the premises or elsewhere, or as provided in this section.

(e) (2) The annual fee for a license **[**is $1,000**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $1,500**.

6–301.

(a) (1) Except as provided in subsection (n) of this section, a Class C beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at any club, at the place described in the license, for consumption on the premises only.

(e) In Baltimore County the annual license fee **[**is $500**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $1,000**.

6–401.

(a) (1) A Class D beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the place described in it, for consumption on the premises or elsewhere. A license may not be issued for any drugstore.

(e) (2) The annual license fee **[**is $1,000**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $1,500**.

~~6–702.~~

~~(b) In this section "caterer" means a Class B or Class D on–sale beer, wine and liquor licensee who contracts to provide food and sell alcoholic beverages to sponsors of public or private events held off the premises.~~

~~(g) The annual license fee for the special off–sale license privilege **[**is $500**]** **SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE AND SHALL BE** in addition to the annual fee for the Class B or Class D on–sale beer, wine and liquor license.~~

7–101.

(b) (1) (i) Subject to subsection (a) of this section, a special Class C beer license or a special Class C beer and wine license entitles the holder to exercise any of the privileges conferred by the respective classes of licenses for the use of any person holding any bona fide entertainment conducted by any club, society or association at the place described in the license, for a period not exceeding seven consecutive days from the effective date thereof.

(4) In Baltimore County the fee **[**is ~~$10~~ **$30** per day, except that for any bona fide religious, fraternal, civic, war veterans', hospital or charitable organization, the fee is $5**]** ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE~~ **$20**.

(d) (1) (i) A special Class C beer, wine and liquor license entitles the holder to exercise any of the privileges conferred by this class of license for the use of any person holding a bona fide entertainment conducted by a club, society, or association at the place described for a period not exceeding seven consecutive days, upon the payment of a fee of $15 per day.

(4) (i) In Baltimore County:

1. The fee for this license **[**is ~~$25~~ **$50** per day, except that for any bona fide religious, fraternal, civic, war veterans', hospital or charitable organization, the fee for this license is ~~$15~~**]** ~~SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE~~ **$35**; and

2. The holder of a special 7–day Class C beer, wine and liquor license may purchase beer and light wine from a wholesale dealer.

8–204.

(c) There is a 7–day Class BDR (deluxe restaurant) (on–sale) beer, wine and liquor license. This license may only be issued for the use of restaurants that:

(1) Meet the definition requirements of "restaurant" established under the regulations of the Board of License Commissioners;

(2) Have a minimum seating capacity of 150 persons for dining;

(3) Have a cocktail lounge or bar area seating capacity not exceeding 25 percent of the seating capacity for dining;

(4) Have parking facilities to accommodate a minimum of 75 vehicles; and

(5) Have a minimum capital investment of $800,000 by the applicant exclusive of the cost of the land and buildings.

(e) The annual license fee is **[**$1,000**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **$2,000**.

8–204.1.

(c) The Board may issue a special theater (on–sale) beer, wine and liquor license for use in a theater if the theater:

(1) Is housed within a building;

(2) Has a capacity to hold a minimum of 1,500 permanently installed seats; and

(3) Regularly presents live entertainment.

(e) The annual license fee **[**is $1,000**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $2,000**.

8–304.

(a) The Baltimore County Board of License Commissioners may issue a special wine festival license.

(d) The license fee **[**is $15**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~ **IS $60**.

8–404.

(a) (1) The Baltimore County Board of License Commissioners may issue a WS (wine sampling) permit to bona fide nonprofit organizations.

(5) The permit fee **[**is ~~$15~~ **$30** per day**]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE**~~.

~~8–404.1.~~

~~(a) This section applies in Baltimore County.~~

~~(b) The Board of License Commissioners may issue a Class BWT beer and light wine (on–premises) tasting license to the holder of a Class A beer and light wine license.~~

~~(c) The Board of License Commissioners may issue a Class BWLT beer, wine and liquor (on–premises) tasting license to a holder of a Class A beer, wine and liquor license.~~

~~(d) (1) The fees for a Class BWT and Class BWLT license [are as follows:~~

~~(i) $20 for a daily tasting license, which may be issued not more than 12 times in any annual license year;~~

~~(ii) $200 annually for a 26–day tasting license, which may be used consecutively or nonconsecutively;~~

~~(iii) $300 annually for a 52–day tasting license, which may be used consecutively or nonconsecutively; and~~

~~(iv) $400 annually for a 104–day tasting license, which may be used consecutively or nonconsecutively] SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE.~~

~~(2) The fees for a Class BWT license and Class BWLT license are in addition to the Class A annual license fee.~~

~~8–601.~~

~~(a) In Baltimore County the owner or owners of any regular licensed racing establishment, or the concessionaire or catering organization at such place, whether an individual, association or corporation, shall without additional residential, voting or locative qualifications be entitled to procure a license for the sale of beer and light wine within the confines of its racing park in said county[, at a cost for such license of $25.00 per day]; and shall be entitled to procure a license for the sale of beer, wine and liquor within the confines of its racing park in said county[, at a cost for such license of $50.00 per day,] and shall entitle the holder to sell at one or more locations within its said park. Such licenses and the licensees thereunder shall be subject to all laws, rules and regulations applicable in Baltimore County to the sale of alcoholic beverages, not inconsistent with the provisions of this section.~~

~~(B) THE FEES FOR A LICENSE ISSUED UNDER THIS SECTION SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE.~~

~~[(b)] (C) The provisions of this section are not restricted by the provisions in subsection (b) of § 12–107 of this article.~~

8–802.

(a) The Baltimore County Board of License Commissioners may issue a special beer festival license.

(d) The license fee **[**is ~~$15~~ **$50]** ~~**SHALL BE ESTABLISHED AS PROVIDED IN § 18–105 OF THIS ARTICLE.**~~

~~**18–105.**~~

~~**THE BALTIMORE COUNTY EXECUTIVE AND THE COUNTY COUNCIL OF BALTIMORE COUNTY SHALL REGULATE THE ALCOHOLIC BEVERAGES LICENSE FEES WITHIN BALTIMORE COUNTY.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1311 – *Motor Vehicle Insurers – Standards for Cancellation or Refusal of Insurance – Driving While Impaired by Alcohol*.

This bill establishes that a conviction for driving while impaired by alcohol is among the standards that may be applied by an insurer for purposes of canceling or refusing to underwrite or renew a particular insurance risk or class of risk with respect to private passenger motor vehicle insurance.

Senate Bill 885, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1311.

Sincerely,

Governor

House Bill 1311

AN ACT concerning

Motor Vehicle Insurers – Standards for Cancellation or Refusal of Insurance – Driving While Impaired by Alcohol

FOR the purpose of establishing that, subject to a certain provision of law, a conviction for driving while impaired by alcohol is included among the standards reasonably related to an insurer's economic and business purposes that may be applied by the insurer for purposes of canceling or refusing to underwrite or renew a particular insurance risk or class of risk in the case of private passenger motor vehicle insurance; and generally relating to standards for the cancellation or refusal of motor vehicle insurance and the offense of driving while impaired by alcohol.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–501(a)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(l)(1)(vi)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Insurance

27–501.

(a) (2) Except as provided in this section, an insurer or insurance producer may not cancel or refuse to underwrite or renew a particular insurance risk or class of risk except by the application of standards that are reasonably related to the insurer's economic and business purposes.

(l) (1) In the case of private passenger motor vehicle insurance, standards reasonably related to the insurer's economic and business purposes under subsection (a)(2) of this section include, but are not limited to, the following and do not require statistical validation:

(vi) subject to § 27–609 of this title, conviction of the named insured or a covered driver under the policy of any of the following:

1. a violation of § 21–902(a), **(B),** (c), or (d) of the Transportation Article;

2. homicide, assault, reckless endangerment, or criminal negligence arising out of the operation of the motor vehicle; or

3. using the motor vehicle to participate in a felony;

Article – Transportation

21–902.

(a) (1) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(2) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(3) A person may not violate paragraph (1) or (2) of this subsection while transporting a minor.

(b) (1) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

(2) A person may not violate paragraph (1) of this subsection while transporting a minor.

(c) (1) A person may not drive or attempt to drive any vehicle while he is so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that he cannot drive a vehicle safely.

(2) It is not a defense to any charge of violating this subsection that the person charged is or was entitled under the laws of this State to use the drug, combination of drugs, or combination of one or more drugs and alcohol, unless the person was unaware that the drug or combination would make the person incapable of safely driving a vehicle.

(3) A person may not violate paragraph (1) of this subsection while transporting a minor.

(d) (1) A person may not drive or attempt to drive any vehicle while the person is impaired by any controlled dangerous substance, as that term is defined in §

5–101 of the Criminal Law Article, if the person is not entitled to use the controlled dangerous substance under the laws of this State.

(2) A person may not violate paragraph (1) of this subsection while transporting a minor.

(e) For purposes of the application of subsequent offender penalties under § 27–101 of this article, a conviction for a crime committed in another state or federal jurisdiction that, if committed in this State, would constitute a violation of subsection (a), (b), (c), or (d) of this section shall be considered a violation of subsection (a), (b), (c), or (d) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

May 18, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1312 – *State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members*.

House Bill 1312 prohibits a former member of a designated retirement and pension plan within the State Retirement and Pension System (SRPS) from receiving a retroactive vested benefit allowance if the member files for vested benefits after normal retirement age. A member must submit a written application to the SRPS Board of Trustees that states the date on which the member wants to begin receiving a vested allowance. Under the bill, any benefits that the member would have received from normal age of retirement to the time the member actually applies for benefits must be forfeited. The bill also clarifies that members and former members who receive a refund of accumulated contributions are not entitled to further benefits.

House Bill 1312 applies only prospectively and does not apply to any member or former member who, as of June 30, 2011, has separated from employment and has reached normal retirement age. All vested former members and active employees who leave service and have not yet reached normal retirement age, however, would be affected by the bill.

Under Current law, former vested members who apply for benefits after their normal retirement age are entitled to begin receiving their pensions and receive a lump–sum payment for past benefits not received. Active vested members who leave service upon reaching or exceeding their normal retirement age only receive pension benefits from the time of application forward.

House Bill 1312 was proposed by the State Retirement Agency to address problems associated with former members who are entitled to either a refund of member contributions or a vested benefit, but who have not claimed those benefits. According to the General Assembly's consulting actuary, there are approximately 4,236 vested former members in the State plans who have not claimed their vested benefit despite being older than their normal retirement age. The Retirement Agency is currently undertaking measures to contact these former members with some success.

While I understand the concerns raised by the State Retirement Agency, I believe this legislation unintentionally imposes a very harsh punishment on former teachers and State employees who do not file their application for benefits upon reaching normal retirement age. These former members will be required to forfeit pension benefits that they have earned through years of dedicated service and that consist in part of employee contributions. In some cases, former employees have forgotten they are entitled to a pension benefit because decades have passed since they left teaching or State service, or they are simply not aware of the age of retirement. In some cases, intervening health problems have contributed to their failure to apply for benefits. Lost benefits can range from several thousand dollars to tens of thousands of dollars. I am particularly concerned about the potential impact of lost benefits on seniors who are struggling on fixed incomes.

Another concern I have with House Bill 1312 is that there is no provision in the in the bill that allows former vested members to ask the SRPS Board of Trustees for a hardship waiver to allow a member to collect past benefits. As mentioned above, a member's impairment due to health reasons, such as dementia or Alzheimer's disease, may warrant such a waiver. Instead, members or their families would have to ask legislators to sponsor bills to grant statutory exemptions to the law. Finally, I am concerned that the proposed change in this legislation applies to both current and former employees who arguably have a contractually vested right to this pension benefit under State law.

House Bill 1312 was introduced late in Session and was not included in the package of bills that the State Retirement Agency submitted to the Joint Committee on Pensions. During the 2011 Interim, I encourage the Joint Committee to consider an equitable and more workable alternative to the one proposed in this legislation. I believe a better approach to ensuring that pension benefits are paid upon a member's age of retirement is for the State Retirement Agency to continue its aggressive practice of notifying former members to apply for benefits in a timely fashion.

For the above reasons, I have today vetoed House Bill 1312.

Sincerely,

Governor

House Bill 1312

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

FOR the purpose of requiring that certain members or former members of the State Retirement and Pension System complete and submit a certain application stating a certain date when the member or former member desires to commence receipt of a certain vested retirement allowance; prohibiting certain members or former members of the State Retirement and Pension System from receiving a certain vested retirement allowance for a certain period of time; providing that certain members or former members of the State Retirement and Pension System may receive a return of their accumulated contributions before payment of a certain vested allowance; providing that certain former members of the State Retirement and Pension System to whom certain accumulated contributions are returned are not entitled to any further benefits; providing for the application of this Act; and generally relating to members or former members of the State Retirement and Pension System receiving a vested retirement allowance.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–302 and 29–303
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

29–302.

(a) This section applies only to members of:

(1) the Correctional Officers' Retirement System;

(2) the Employees' Retirement System;

(3) the State Police Retirement System; and

(4) the Teachers' Retirement System.

(b) (1) A member **OR FORMER MEMBER** may **[**elect to**]** receive a vested allowance if:

(i) the member **OR FORMER MEMBER COMPLETES AND SUBMITS A WRITTEN APPLICATION TO THE BOARD OF TRUSTEES STATING THE DATE WHEN THE MEMBER OR FORMER MEMBER DESIRES TO COMMENCE RECEIPT OF A VESTED ALLOWANCE; AND**

(II) ON OR BEFORE THE DATE OF COMMENCEMENT OF A VESTED ALLOWANCE, THE MEMBER OR FORMER MEMBER:

1. is separated from employment other than by death or retirement; and

[(ii)**]** **2.** subject to paragraph (2) of this subsection, **[**the member**]** has at least 5 years of eligibility service.

(2) A **MEMBER OR** former member of the State Police Retirement System who separated from employment on or before June 30, 1989, must have at least 15 years of eligibility service to elect a vested allowance.

(3) **[**A member is deemed to have elected a vested allowance, unless the member requests the return of the accumulated contributions before membership ends.**] A MEMBER OR FORMER MEMBER WHO RECEIVES A VESTED ALLOWANCE UNDER THIS SECTION MAY NOT RECEIVE BENEFITS FOR THE PERIOD BEFORE THE MEMBER OR FORMER MEMBER SUBMITTED A COMPLETED APPLICATION TO THE BOARD OF TRUSTEES.**

(c) **[**A**] SUBJECT TO SUBSECTION (B) OF THIS SECTION, A** vested allowance is a deferred allowance ~~starting~~ **THAT MAY BEGIN** at:

(1) normal retirement age for members of:

(i) the Employees' Retirement System;

(ii) the State Police Retirement System; and

(iii) the Teachers' Retirement System;

(2) age 55 for a member of the Correctional Officers' Retirement System who is:

(i) a correctional officer in the first six job classifications;

(ii) a detention center officer employed by a participating governmental unit who has elected to participate in the Correctional Officers' Retirement System;

(iii) an individual serving as a correctional dietary, maintenance, laundry, or supply officer; or

(iv) an individual serving as a Maryland Correctional Enterprises officer, officer trainee, plant supervisor, plant manager, or regional manager; or

(3) age 60 for a member of the Correctional Officers' Retirement System who is a maximum security attendant at the Clifton T. Perkins Hospital Center.

(d) A vested allowance:

(1) is computed as a normal service retirement allowance on the basis of the former member's creditable service and average final compensation at the time of separation from employment; and

(2) may be paid in one of the optional forms of allowances under § 21–403 of this article.

(e) If a member **OR FORMER MEMBER** separated from employment on or before June 30, 1990, unused sick leave reported by the member's **OR FORMER MEMBER'S** employer at the time of separation from employment is creditable service for computing the vested allowance.

(f) (1) If a **MEMBER OR** former member who elected a vested allowance requests the return of accumulated contributions before payment of the vested allowance begins, the Board of Trustees shall return the accumulated contributions to the **MEMBER OR** former member.

(2) When accumulated contributions are returned to a former member, the former member is not entitled to further benefits on account of the former member's previous membership.

29–303.

(a) This section applies only to members of:

(1) the Employees' Pension System;

(2) the Local Fire and Police System;

(3) the Law Enforcement Officers' Pension System; or

(4) the Teachers' Pension System.

(b) **(1)** A member **[**is eligible to**]** **OR FORMER MEMBER MAY** receive a vested allowance if:

~~(1)~~ **(I)** the member **OR FORMER MEMBER COMPLETES AND SUBMITS A WRITTEN APPLICATION TO THE BOARD OF TRUSTEES STATING THE DATE WHEN THE MEMBER OR FORMER MEMBER DESIRES TO COMMENCE RECEIPT OF A VESTED ALLOWANCE; AND**

~~(2)~~ **(II) ON OR BEFORE THE DATE OF COMMENCEMENT OF A VESTED ALLOWANCE, THE MEMBER OR FORMER MEMBER:**

~~(I)~~ **1.** separated from employment other than by death or retirement; and

[(2)**]** ~~(II)~~ **2.** **[**the member**]** has at least 5 years of eligibility service.

(2) A MEMBER OR FORMER MEMBER WHO RECEIVES A VESTED ALLOWANCE UNDER THIS SECTION MAY NOT RECEIVE BENEFITS FOR THE PERIOD BEFORE THE MEMBER OR FORMER MEMBER SUBMITTED A COMPLETED APPLICATION TO THE BOARD OF TRUSTEES.

(c) Except as provided in subsections (e), (f), **[**and**]** (g)**, AND (H)** of this section **AND SUBJECT TO SUBSECTION (B) OF THIS SECTION**, a vested allowance:

(1) is a deferred allowance that **[**begins**]** **MAY BEGIN** at normal retirement age;

(2) is computed as a normal service retirement allowance on the basis of the member's average final compensation and eligibility service at separation from employment; and

(3) may be paid in one of the optional forms of allowances under § 21–403 of this article.

(d) If a member of the Employees' Pension System or the Teachers' Pension System separated from employment on or before June 30, 1990, unused sick leave reported by the member's employer at the time of separation from employment is creditable service for computing the vested allowance.

(e) Except as provided in subsection (f) of this section, a former member of the Employees' Pension System or the Teachers' Pension System who has separated from employment before the age of 55 with at least 15 years of eligibility service is eligible to receive a vested allowance that:

(1) **[**begins**]** **MAY BEGIN** on the first day of the month following the member's 55th birthday; and

(2) equals the reduced allowance computed under § 23–402 of this article.

(f) (1) The vested allowance of a former member of the Employees' Pension System or the Teachers' Pension System who separates from employment on or before June 30, 1998:

(i) is a deferred allowance that **[**begins**]** **MAY BEGIN** at normal retirement age;

(ii) is computed on the basis of the member's average final compensation and eligibility service at separation from employment;

(iii) shall equal the number of years of the member's creditable service multiplied by:

1. 0.8% of the member's average final compensation that is not in excess of the Social Security integration level; and

2. 1.5% of the member's average final compensation that exceeds the Social Security integration level; and

(iv) may be paid in one of the optional forms of allowances under § 21–403 of this article.

(2) A former member of the Employees' Pension System or the Teachers' Pension System who has separated from employment on or before June 30, 1998 and before the age of 55 with at least 15 years of eligibility service is eligible to receive a vested allowance that:

(i) **[**begins**]** **MAY BEGIN** on the first day of the month following the member's 55th birthday; and

(ii) equals the allowance under paragraph (1) of this subsection, reduced by 0.5% for each month that the member's early retirement date precedes the date the member will be 62 years old.

(g) (1) Except as provided in paragraph (2) of this subsection and subject to paragraph (3) of this subsection, the vested allowance of a former member of the

Law Enforcement Officers' Pension System who separates from employment on or before June 30, 2000:

(i) is a deferred allowance that **[**begins**]** **MAY BEGIN** at normal retirement age;

(ii) is computed on the basis of the member's average final compensation and eligibility service at separation from employment; and

(iii) shall equal the number of years of the member's creditable service multiplied by:

1. 1% of the member's average final compensation that is not in excess of the Social Security integration level; and

2. 1.7% of the member's average final compensation that exceeds the Social Security integration level.

(2) (i) This subsection applies only to a former member of the Law Enforcement Officers' Pension System who:

1. transferred to the Law Enforcement Officers' Pension System from the Employees' Retirement System; and

2. separates from employment on or before June 30, 2000.

(ii) The vested allowance of a former member:

1. is a deferred allowance that **[**begins**]** **MAY BEGIN** at normal retirement age;

2. is computed on the basis of the member's average final compensation and eligibility service at separation from employment; and

3. shall equal:

A. 2% of the member's average final compensation multiplied by each year of the member's first 30 years of creditable service; and

B. 1% of the member's average final compensation multiplied by each year of creditable service in excess of 30 years.

(3) (i) This paragraph applies only to a former member who is:

1. receiving a deferred allowance under paragraph (1) of this subsection; and

2. under the age of 62 years.

(ii) On receipt of a vested allowance, a former member shall receive a supplemental deferred allowance that equals the difference between:

1. the former member's vested allowance; and

2. 1.7% of the member's average final compensation for each year of creditable service.

(iii) Payment of the supplemental deferred allowance ends when the former member:

1. attains the age of 62 years; or

2. dies.

(H) (1) IF A MEMBER OR FORMER MEMBER REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE MEMBER OR FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any member or former member of one of the several systems of the State Retirement and Pension System that, as of June 30, 2011:

(a) has at least 5 years of eligibility service before the effective date of this Act;

(b) separated from employment with a participating employer other than by death or retirement; and

(c) has reached normal retirement age under Division II of the State Personnel and Pensions Article.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

May 19, 2011

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1343 – *Economic Development – Tri–County Council for Western Maryland – Membership and Leadership*.

This bill alters the membership of the Tri–County Council for Western Maryland and establishes an Executive Committee for the Council. This provides for the Executive Committee's officers and terms of office and defines "member county" and also provides for the initial membership of the Executive Committee.

Senate Bill 975, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1343.

Sincerely,

Governor

House Bill 1343

AN ACT concerning

Economic Development – Tri–County Council for Western Maryland – Membership and Leadership

FOR the purpose of altering the membership of the Tri–County Council for Western Maryland; establishing an Executive Committee for the Council and providing for the Executive Committee's officers and terms of office; defining a certain term; providing for the initial membership of the Executive Committee; and generally relating to the membership and leadership of the Tri–County Council for Western Maryland.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 13–701 and 13–703
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)

BY repealing
Article – Economic Development
Section 13–704
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)

BY adding to
Article – Economic Development
Section 13–704
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Economic Development

13–701.

(a) In this subtitle the following words have the meanings indicated.

(b) "Commissioners" means the Board of County Commissioners of Allegany County, Garrett County, or Washington County, respectively.

(c) "Council" means the Tri–County Council for Western Maryland.

(d) "Executive Director" means the Executive Director of the Council.

(E) "MEMBER COUNTY" MEANS EACH COUNTY IN THE REGION THAT PAYS ANNUAL DUES THAT THE COUNCIL SETS.

[(e)**] (F)** "Plan" means a regional plan that the Council prepares for the region.

[(f)**] (G)** "Region" means Allegany, Garrett, and Washington counties.

13–703.

(a) The Council consists of the following **[**23**] 26** members:

[(1) from Allegany, Garrett, and Washington counties:

(i) nine representatives of the county governments, three from each county, appointed by their respective commissioners; and

(ii) three municipal elected officials, one from each county, appointed by their respective commissioners;

(2) from the members of the House of Delegates, the chair, or the designee of the chair, of the Allegany County Delegation, the Garrett County Delegation, and the Washington County Delegation, each of whom shall reside, respectively, in Allegany County, Garrett County, and Washington County;

(3) the two members of the Senate of Maryland representing the region and residing in Allegany County, Garrett County, or Washington County; and

(4) six private citizens, two each from Allegany County, Garrett County, and Washington County, respectively, that are:

(i) appointed by their respective commissioners;

(ii) not listed under paragraphs (1), (2), and (3) of this subsection; and

(iii) neither elected officials nor employees of a unit of local government.**]**

(1) TWO COMMISSIONERS FROM EACH MEMBER COUNTY;

(2) THE DIRECTOR OF ECONOMIC DEVELOPMENT FROM EACH MEMBER COUNTY;

(3) TWO MAYORS FROM EACH MEMBER COUNTY OR THEIR REPRESENTATIVES, APPOINTED BY THE RESPECTIVE CHAPTERS OF THE MARYLAND MUNICIPAL LEAGUE FOR EACH MEMBER COUNTY;

(4) THE CHAIR OF EACH MEMBER COUNTY'S LEGISLATIVE DELEGATION <u>TO THE HOUSE OF DELEGATES</u>, OR THE CHAIR'S DESIGNEE;

(5) THE TWO MEMBERS OF THE SENATE OF MARYLAND REPRESENTING THE MEMBER COUNTIES IN DISTRICTS 1 AND 2;

(6) SIX PRIVATE CITIZENS, TWO FROM EACH MEMBER COUNTY, WHO ARE:

(I) APPOINTED BY THEIR RESPECTIVE COMMISSIONERS;

(II) NOT LISTED UNDER PARAGRAPH (1), (2), (3), (4), OR (5) OF THIS SUBSECTION; AND

(III) NEITHER ELECTED OFFICIALS NOR EMPLOYEES OF A UNIT OF LOCAL GOVERNMENT.

(b) (1) A member who qualifies because of the member's elected or appointed position is a member of the Council only during the member's term of office in the elected or appointed position.

(2) A member appointed**:**

(I) UNDER SUBSECTION (A)(3) OF THIS SECTION, SERVES AT THE PLEASURE OF THE COMMISSIONERS FOR THE COUNTY THAT THE MEMBER REPRESENTS;

(II) UNDER SUBSECTION (A)(4) OF THIS SECTION, SHALL RESIDE IN THE MEMBER COUNTY THAT THE MEMBER REPRESENTS; AND

(III) under subsection **[**(a)(4)**] (A)(6)** of this section:

[(i)**] 1.** serves at the pleasure of the commissioners who appointed the member; and

[(ii)**] 2.** has the same term as the commissioners who appointed the member.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) Except for an ex officio member, a member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

[13–704.

The Council shall elect a chair from among its members.**]**

13–704.

(A) THERE IS AN EXECUTIVE COMMITTEE OF THE COUNCIL.

(B) THE EXECUTIVE COMMITTEE CONSISTS OF THE CHAIR, VICE–CHAIR, AND SECRETARY/TREASURER OF THE COUNCIL.

(C) (1) ON A ROTATING BASIS, A COMMISSIONER MEMBER OF THE COUNCIL FROM EACH MEMBER COUNTY SHALL SERVE AS THE CHAIR, VICE–CHAIR, AND SECRETARY/TREASURER, RESPECTIVELY.

(2) THE TERM OF EACH OFFICER IS 1 YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That the membership of the Executive Committee of the Tri–County Council for Western Maryland as of October 1, 2011, under § 13–704 of the Economic Development Article, as enacted by this Act, shall be as follows:

(1) A commissioner member from Washington County shall serve as Chair;

(2) A commissioner member from Allegany County shall serve as Vice–Chair; and

(3) A commissioner member from Garrett County shall serve as Secretary/Treasurer.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Subject Index to Laws and Resolutions

	Chapter	Page
A		
Abandoned Property —		
Unclaimed money due former members, retirees, and beneficiaries of the State Retirement and Pension System, publication of names of individuals and employers for purposes of notification, provisions added	60	276
Abortion —		
Children's Health Program, appropriation to, with restrictions	395	1924
Medical care provider reimbursement, appropriation for, with restrictions	395	1922
Absentee Ballots SEE Ballots		
Absentee Voting SEE Voting		
Accident Insurance SEE Health Insurance		
Accidents —		
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
Accountants —		
Educational requirements for examination and licensure for certified public accountancy, provisions altered	208	947
Services that constitute the practice of certified public accountancy, provisions altered; preparation of a compilation by nonlicensed individual and standard language for disclosure statement regarding exemption from peer review requirements under certain circumstances, provisions added.	228	1051
	229	1057
Acquisitions SEE Mergers and Acquisitions		
Administrative Agencies —		
See also Electronic Government; Public Corporations and Instrumentalities		
Abolishment of 450 regular full–time equivalent positions from the Executive Branch and reduction of funding for salaries and fringe benefits, provisions added	395	2094
Agreements between State agencies and any public institution of higher education involving expenditures in excess of $100,000, reports required	395	2085
Agricultural Land Preservation Foundation, disposition of real property under the Critical Farms Program, provisions altered; Critical Farms Fund established	581	3426
Air and Radiation Management Administration, appropriation to	395	2000
		2062
		2132

	Chapter	Page
Alcohol and Drug Abuse Administration, appropriation to	395	1909 2029 2059 2094
Aviation Administration, appropriation to	395	1883
Baltimore City –		
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Budget Analysis, Office of, appropriation to	395	1864 2056
Budget items, detail by "Statewide Subobject" classification, and other budget data requirements, provisions added	395	2084
Central Payroll Bureau, appropriation to	395	1856 2056
Child Support Enforcement Administration –		
Appropriation to	395	1931 2059
Local, appropriation for	395	1931
Community Initiatives, Governor's Office of, appropriation to	395	1840 2017
Credit Assurance, Division of, appropriation to	395	1988 2061
Development Finance, Division of, appropriation to	395	1989 2061
Developmental Disabilities Administration –		
Appropriation to	395	1917 2031 2059
Performance evaluation of surveyors who inspect each site or office operated by a service provider licensee, requirements added	116	584
Provider funding reduction as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services, provisions that prohibit, added	397	2389
Electricity for all Executive Branch agencies, funding reduction and allocation schedule, requirement added	395	2094
Emergency Management Agency, appropriation to	395	1848
Energy Administration –		
Appropriation to	395	1838 2054 2072 2073 2074 2077 2078 2079
Electric vehicle recharging equipment, income tax credit provisions added	402	2414
State Agency Loan Program, capital appropriation to	395	1839
Family Health Administration, appropriation to	395	1906

	Chapter	Page
		2028
Family Investment Administration, appropriation to	395	1931
		2060
Federal funds appropriated in operating budget, policies for administration of, established	395	2083
Forest Service, appropriation to	395	1885
		1886
Grants Office, Governor's, appropriation to	395	1841
Health Care Alternative Dispute Resolution Office, appropriation to	395	1841
Health Care Quality, Office of –		
Appropriation to	395	1904
Disclosure of Board of Physicians records to certain entities for purpose of investigating quality or utilization of care; disclosure of physician information to certain entities by Health Services Cost Review Commission	308	1514
	309	1522
Home Energy Programs, Office of, appropriation to	395	1932
		2035
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
Howard County –		
Tourism Council and Economic Development Authority, allocation of hotel room rental sales and use tax revenue to, provisions added	139	657
Indirect cost recoveries by State agencies, annual report and inclusion in agency fiscal/compliance audits required; disposition provisions added	395	2083
Infectious Disease and Environmental Health Administration, appropriation to	395	1905
		2028
Information technology development projects, approved systems development life cycle plan requirements for funding approval for major projects, provisions added	397	2297
Injured Workers' Insurance Fund, employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	132	636
	276	1348
Inmate Grievance Office, appropriation to	395	1952
Laboratories Administration, appropriation to	395	1908
		2029
		2059
Land Management Administration, appropriation to	395	1999
		2062
Law enforcement operations in executive branch agencies, appropriation for	395	2082
Lottery Agency, State, appropriation to; report required regarding the sale of traditional lottery games over the Internet	395	1860
		2056
		2071
		2072

	Chapter	Page
		2076
		2077
		2081
		2140
Marketing, Animal Industries, and Consumer Services, Office of, appropriation to	395	1897
		2058
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland Historical Trust –		
Acceptance of commercial rehabilitation tax credit application for which the proposed rehabilitation work has begun, provisions altered	133	638
Sustainable Communities Tax Credit Program, maximum fee for administrative costs, use of reserve fund to pay administrative costs if fees are inadequate, applicability of special provisions for high performance buildings and qualified rehabilitated structures, provisions altered	383	1777
Medical Care Programs Administration, appropriation to	395	1919
		2031
		2059
		2112
Mental Hygiene Administration –		
Administration facilities that have been closed, provisions of law relating to, repealed	122	604
Appropriation to	395	1910
		2030
Cost containment actions and impact of actions on access to care for persons with serious mental illness and on financial condition of providers, reports required	395	1910
Transfer of an individual from an Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579
Trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program for State mental health facilities	248	1115
	249	1125
Military Affairs and Base Realignment, Office of, appropriation to	395	1994
Minority Affairs, Governor's Office of –		
Appropriation to	395	1840
Construction and procurement by video lottery operation license applicant or licensee, minority business participation requirements, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Minority Business Enterprise Program in State procurement,		

	Chapter	Page
participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Neighborhood Revitalization, Division of, appropriation to	395	1988
		2061
		2129
Occupational and Professional Licensing, Division of, appropriation to	395	1936
		2060
		2118
Occupational Safety and Health Administration, appropriation to	395	1935
Organizational chart of each administrative agency that depicts the allocation of personnel across operational and administrative activities, Budget and Management Department required to provide to Legislative Services Department	395	2084
Park Service, appropriation to	395	1885
		1887
Parole and Probation, Division of –		
Appropriation to	395	1951
		2060
Pre–parole Investigation –		
Inmates in a local correctional facility, deadline for completion and submission to Parole Commission, provisions added	361	1706
Process for local inmates, report required on proposed changes	395	1951
Plant Industries and Pest Management, Office of, appropriation to	395	1899
		2058
Port Administration, appropriation to	395	1881
Preparedness and Response, Office of, appropriation to	395	1907
		2029
Pretrial Detention and Services, Division of –		
Access to and use of juvenile court records, provisions added	102	540
Appropriation to	395	1953
		2061
Procurement and Logistics, Office of, appropriation to	395	1871
		2108
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Real Estate, Office of, appropriation to	395	1871
		2057
Refugees and Asylees, Office for, appropriation to	395	1932
Resource Conservation, Office of, appropriation to	395	1900
		2058
Retirement Agency, State –		
Appropriation to	395	1869
		2072
		2077
		2140

	Chapter	Page
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Cost of living (COLA) adjustment to retirement allowances in the State Retirement and Pension System, provisions to prevent negative adjustments and adjust succeeding year adjustments, added; review of pension law COLA provisions and report required	599	3510
Notification of former members, retirees, and beneficiaries of the State Retirement and Pension System who are due unclaimed money through publication of names of individuals and employers, provisions added	60	276
Revenue Estimates, Bureau of, appropriation to	395	1855 2055
Salaries and wages for State employees, funding reduced within executive branch agencies in fiscal 2012	395	2081 2139
Science Services Administration, appropriation to	395	1999
Secretary or acting secretary of any department whose nomination as secretary has been rejected by the Senate, or acting secretary serving as such prior to the 2011 session whose nomination was not put forward and approved by the Senate in the 2011 session, funding of salary prohibited	395	2088
Social Services Administration –		
Appropriation to	395	1928 2034 2059
Local Departments –		
Adoption search, contact, and reunion services application by director of local department on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added	326	1571
Appropriation for operations	395	1929
Special needs trusts, supplemental needs trusts, and pooled asset special needs trusts, use by individual with disabilities encouraged; limitation on restrictive regulations and requirements, provisions added	561 562	3336 3338
State employee and retiree health insurance, reduction of appropriations to various agencies for	395	2070 2075
State Employee's and Teacher's Retirement Systems, funding reduced for various State agencies for fiscal 2012	395	2080
State House Trust, determination of site on State House grounds where flag to honor and remember members of the armed forces who died in the line of duty will be flown, provisions added	422	2550
Transit Administration –		
Appropriation to	395	1882
Farebox recovery requirement, setting sufficient fare prices and collecting other operating revenues that are sufficient		

	Chapter	Page
without reducing level of services, requirements added; report required	397	2363
Recycling program at transit stations, study and report relating to establishment required	134	639
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of a public body open meeting, provisions altered	508	2995
	509	3001
Transportation Authority, bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Transportation Technology Services, Office of, appropriation to	395	1878
		2108
Unemployment Insurance, Office of, appropriation to	395	1938
		2036
		2060
		2120
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
Washington Metropolitan Area Transit Authority, recycling program at transit stations, study and report relating to establishment required	134	639
Water Management Administration, appropriation to	395	1999
		2062
		2131
Wildlife and Heritage Service, appropriation to	395	1887
		2025
Worcester County –		
Liquor Control, Department of, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Workforce Development and Adult Learning, Division of, appropriation to	395	1937
		2060
		2119
Administrative Hearings, Office of —		
Appropriation to	395	1853
		2055
		2064
		2072

	Chapter	Page
		2074
		2077
		2079
Foreclosure, documents accompanying an order to docket or complaint to foreclose filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered.....	355	1670
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added.....	114	579
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered.....	617	3599
Administrative Office of the Courts —		
Appropriation to; Maryland Legal Services Corporation report required	395	1829
Fee for special admission of out–of–state attorneys to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
Admissions and Amusement Tax —		
Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general.....	298	1480
	299	1480
Distribution for fiscal 2012, provisions altered.....	397	2352
Hot air balloons that are not tethered, county or municipal corporation prohibited from imposing admissions and amusement tax on gross receipts from charge for admission to or use of	125	616
Adoption —		
Adoption search, contact, and reunion services, application by director of a local department of social services on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added.....	326	1571
Certificate of foreign birth for individual born in a foreign country who was adopted under the laws of a foreign jurisdiction and granted an IH–3 visa, provisions added	463	2723
	464	2725
Adult Abuse SEE Domestic Violence; Victims		
Advance Medical Directives —		
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587

	Chapter	Page
	434	2600
Advertising —		
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Electioneering boundaries at polling places in Carroll and Montgomery counties, provisions altered	344	1633
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Leased motor vehicles, prohibited advertising practices relating to calculation of a base lease payment and capitalized cost reduction, provisions added	367	1733
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Motor fuel advertising signs at retail service stations, requirements altered	25	189
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
African American History and Culture SEE Art, Music and Cultural Affairs; Historical Matters		
Aged SEE Elderly Persons		
Agents and Brokers —		
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form that must be filed and approved, study required	514	3014
	515	3019
Home builder, definition altered for purpose of home builder registration	43	241
	44	242
Homeowner's insurance, discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667

	Chapter	Page
	446	2671
Licensed insurance producers, authority to provide information about the Maryland Medical Assistance Program and Children's Health Program to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Real Estate Brokers –		
Brokers, associate brokers, and real estate salespersons, provisions for reinstatement of expired licenses, reactivation of licenses placed on inactive status, and continuing education requirements for license renewal, altered	207	943
Deposit held on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Designee, authorization to designate two members of a team as intracompany agents for the seller and the buyer in the same transaction, provisions added	153	713
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Aggressive Driving SEE Motor Vehicle Operation		
Aging, Department of —		
Appropriation to	395	1843
		2018
		2054
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2080
		2139
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463

	Chapter	Page
Agriculture —		
See also Farmland		
Agricultural and Resource–Based Industry Development Corporation, appropriation to	395	1898 2026
Agricultural Commission, appropriation to	395	1896
Agricultural Cost–Share Program, bond funds for	396	2154
Agricultural Fair Board, appropriation to	395	1898
Agricultural Land Preservation Foundation, appropriation to	395	1896
Agricultural Land Preservation Program, bond funds for	396	2218 2222
Agricultural Land Restoration Program, bond funds for	396	2153
Agricultural Statistics Services, appropriation for	395	1897
Agriculture Activity Center at the Agricultural History Farm Park, previous bond provisions altered to provide funding for Little Bennett Regional Park day use area	396	2234 2235
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Cover crop payments to farmers, appropriation for	395	2111
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Estate tax deferred payment period that is allowed for qualified agricultural property, extension for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484 485	2810 2840
Harry Hughes Center for Agro–Ecology, appropriation for grant to	395	1974
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Jane Lawton Farm–to–School Program, annual report on types and amounts of products purchased from State farms by local schools, requirements added	140	658
Marketing, Animal Industries, and Consumer Services, Office of, appropriation to	395	1897 2058
Mount Pleasant Farm House, bond funds for	396	2175 2188

	Chapter	Page
Nonprofit food vendor at youth sporting event or 4–H youth event, sales and use tax exemption for sales of certain food and drink, provisions added	364	1713
Plant Industries and Pest Management, Office of, appropriation to	395	1899 2058
Plant protection and weed management, appropriation for	395	1899
Rural Legacy Program –		
Appropriation for	395	1889
Bond funds for	396	2151 2218 2222
Previous bond provisions altered	396	2211
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
Tobacco Transition Program, appropriation for	395	1898
Turf and seed, appropriation for	395	1899
Winery special event permits for use at certain Baltimore County farmers' markets by a Class 4 Maryland limited winery, provisions added	331	1585
Winery special event permits for use at certain Frederick County farmers' markets by a Class 4 Maryland limited winery, provisions added	294	1461
Agriculture, Department of —		
Appropriation to	395	1896 2058 2071 2072 2073 2074 2076 2077 2078 2079 2081 2139 2140
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484 485	2810 2840
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Soil conservation district field personnel position counts and funding, reports required	395	1900
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund		

	Chapter	Page
established	261	1192
	262	1200
Air Conditioning SEE Heating and Cooling		
Air Pollution SEE Pollution		
Air Quality Control SEE Pollution		
Aircraft —		
Aviation Administration, appropriation to	395	1883
		2050
Decabrominated diphenyl ether, prohibition on manufacturing, leasing, selling, or distributing certain products that contain, provisions altered and exemption added for aircraft and aircraft parts	197	886
	198	888
Helicopters –		
Cash received as consideration for helicopters and capital equipment related to helicopters, application to State Annuity Bond Fund Account for payment of bonded indebtedness of State, requirements added	397	2303
Replacement –		
Upgrade of State Police fleet and purchase of flight training device, bond funds for	396	2161
		2220
		2223
Upgrade of State Police Fleet, previous bond provisions altered	396	2213
Airports —		
Aviation Administration, appropriation to	395	1883
		2050
Alcohol Abuse SEE Substance Abuse		
Alcoholic Beverages —		
See also Alcoholic Beverages – By Subdivision; Drunk and Drugged Driving		
Brewery licenses, provisions altered for number and size of beer samples, number of beer purchases per person, number of special brewery promotional event permits issued to a holder in a calendar year, and sale for off–premises consumption	238	1079
	239	1081
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Sales and Use Tax Rate on Alcoholic Beverages –		
Increased; fiscal 2012 increase required to be used for appropriation to fund a Waiting List initiative for the Developmental Disabilities Administration	571	3378
Increased; fiscal 2012 increase required to be used for appropriation to fund public school construction projects	572	3380
Winery special event permits for use at certain Baltimore County farmers' markets by a Class 4 Maryland limited winery, provisions added	331	1585
Winery special event permits for use at certain Frederick County farmers' markets by a Class 4 Maryland limited winery, provisions added	294	1461
Alcoholic Beverages – By Subdivision —		

	Chapter	Page
Allegany County –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
1–day special retail license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Entertainment facility license for use by video lottery facility and entertainment concessionaire license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Class C beer, wine and liquor license, issuance in 45th district, provisions added; Sunday sales by Class A retail and Class D beer, wine and liquor licensees, provisions altered	296	1474
Baltimore County –		
License extension if licensed premises is forced to close because of a casualty loss, provisions added	313	1538
License fees altered	302	1491
Caroline County –		
Class BWTS beer and wine (on–premises) tasting or sampling license, number of times per year allowed to be granted to a person, increased; hours of sale for various licenses and alcohol awareness program, provisions altered	420	2539
Carroll County –		
Liquor tasting license created	329	1581
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
Cecil County –		
Sunday sales hours for specified alcoholic beverages licensees, extended; exemption from paying additional fee to allow Sunday sales extended to Class EF and C licensees	151	708
Charles County –		
Class B–Stadium (baseball stadium) on–sale beer, wine, and liquor license, converted from Class B–Stadium (baseball stadium) beer and light wine license; carry and consumption restrictions altered	388	1803
Dorchester County –		
Residency requirement for voters who sign a certificate to support an alcoholic beverages license application, repealed; prohibition against Class B or C licensees		

	Chapter	Page
selling alcoholic beverages at a bar or counter on Sunday, repealed	370	1743
Frederick County –		
Beer, wine and liquor tasting license, provisions added	384	1783
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs	6	140
Howard County –		
Beer, wine and liquor tasting (BWLT) license created; maximum alcohol content of wine that may be served under a beer and wine tasting (BWT) license increased	325	1568
Montgomery County –		
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Class A (off–sale) beer and light wine licenses, issuance in certain commercial areas in town of Kensington, provisions added	345	1635
License for restaurants located in Burtonsville Town Square and Hillandale Shopping Center, provisions added	348	1645
Special culinary school license, provisions added	347	1641
Prince George's County –		
Class B–DD (Development District) licenses, maximum number authorized for certain areas, provisions altered; issuance of one other Class B license located anywhere in the county for each Class B–DD license issued, provisions added	375	1755
Entertainment permits, exemption added for certain alcoholic beverages license holders; other provisions clarified	613	3581
St. Mary's County –		
Special beer festival (BF) license, issuance authorized; approval of time and location of a beer festival, provisions added	372	1748
Washington County –		
Class 7 micro–brewery license, issuance authorized	336	1609
Criminal history records check for new license applicants and license transfers, requirements added	592	3480
Special wine festival (WF) license established	62	278
Wicomico County –		
Class 6 pub–brewery license and Class 7 micro–brewery license, eligibility restrictions altered; Class A (liquor store) license holder allowed to hold certain other alcoholic beverages licenses	563	3340
Worcester County –		
Berlin, issuance of a Class 7 micro–brewery (on– and off–sale) license to holder of Class D license, provisions added	393	1819
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee		

	Chapter	Page
purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Alcoholic Beverages Licenses —		
Allegany County –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
1–day special retail license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Entertainment facility license for use by video lottery facility and entertainment concessionaire license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Baltimore City –		
Class C beer, wine and liquor license, issuance in 45th district, provisions added; Sunday sales by Class A retail and Class D beer, wine and liquor licensees, provisions altered	296	1474
Baltimore County –		
License extension if licensed premises is forced to close because of a casualty loss, provisions added	313	1538
License fees altered	302	1491
Brewery licenses, provisions altered for number and size of beer samples, number of beer purchases per person, number of special brewery promotional event permits issued to a holder in a calendar year, and sale for off–premises consumption	238	1079
	239	1081
Caroline County –		
Class BWTS beer and wine (on–premises) tasting or sampling license, number of times per year allowed to be granted to a person, increased; hours of sale for various licenses and alcohol awareness program, provisions altered	420	2539
Carroll County –		
Liquor tasting license created	329	1581
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
Cecil County –		
Sunday sales hours for specified alcoholic beverages licensees, extended; exemption from paying additional fee to allow Sunday sales extended to Class EF and C licensees	151	708
Charles County –		
Class B–Stadium (baseball stadium) on–sale beer, wine, and liquor license, converted from Class B–Stadium (baseball stadium) beer and light wine license; carry and consumption restrictions altered	388	1803

	Chapter	Page
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Dorchester County –		
Residency requirement for voters who sign a certificate to support an alcoholic beverages license application, repealed; prohibition against Class B or C licensees selling alcoholic beverages at a bar or counter on Sunday, repealed	370	1743
Frederick County –		
Beer, wine and liquor tasting license, provisions added	384	1783
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs	6	140
Howard County –		
Beer, wine and liquor tasting (BWLT) license created; maximum alcohol content of wine that may be served under a beer and wine tasting (BWT) license increased	325	1568
Montgomery County –		
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Class A (off–sale) beer and light wine licenses, issuance in certain commercial areas in town of Kensington, provisions added	345	1635
License for restaurants located in Burtonsville Town Square and Hillandale Shopping Center, provisions added	348	1645
Special culinary school license, provisions added	347	1641
Prince George's County –		
Class B–DD (Development District) licenses, maximum number authorized for certain areas, provisions altered; issuance of one other Class B license located anywhere in the county for each Class B–DD license issued, provisions added	375	1755
Entertainment permits, exemption added for certain alcoholic beverages license holders; other provisions clarified	613	3581
St. Mary's County –		
Special beer festival (BF) license, issuance authorized; approval of time and location of a beer festival, provisions added	372	1748
Washington County –		
Class 7 micro–brewery license, issuance authorized	336	1609
Criminal history records check for new license applicants and license transfers, requirements added	592	3480
Special wine festival (WF) license established	62	278
Wicomico County –		
Class 6 pub–brewery license and Class 7 micro–brewery license, eligibility restrictions altered; Class A (liquor store) license holder allowed to hold certain other alcoholic beverages licenses	563	3340

	Chapter	Page
Winery special event permits for use at certain Baltimore County farmers' markets by a Class 4 Maryland limited winery, provisions added	331	1585
Winery special event permits for use at certain Frederick County farmers' markets by a Class 4 Maryland limited winery, provisions added	294	1461
Worcester County –		
Berlin, issuance of a Class 7 micro–brewery (on– and off–sale) license to holder of Class D license, provisions added	393	1819
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Alcoholism SEE Substance Abuse		
Aliens and Citizenship —		
Certificate of foreign birth for individual born in a foreign country who was adopted under the laws of a foreign jurisdiction and granted an IH–3 visa, provisions added	463	2723
	464	2725
Immigrants in Maryland, Commission to Study the Impact of, termination date extended and report deadline altered	174	829
	175	832
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Refugees and Asylees, Office for, appropriation to	395	1932
Allegany County —		
Alcoholic Beverages –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
1–day special retail license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Elections, Board of, membership altered and provisions for filling vacancies altered	429	2571
State Bonds –		
Allegany Museum	396	2168
		2182
Cumberland City Market	396	2168
		2183
Frostburg State University, Center for Communications and Information Technology	396	2157
		2218
		2222
North Branch Correctional Institution, housing units and support space, previous bond provisions altered	396	2195
		2198
South Mountain Battlefield	396	2152

	Chapter	Page
Western Correctional Institution, Vocational Education Building and landfill closure cap, previous bond provisions altered	396	2204
Tri–County Council for Western Maryland, membership altered and executive committee established	310	1529
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Allergies SEE Diseases		
Alternative Dispute Resolution —		
See also Arbitration; Mediation		
Health Care Alternative Dispute Resolution Office, appropriation to	395	1841
Alternative Energy Sources —		
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Bio–heating oil purchased for space or water heating, definition altered for purposes of income tax credit	566	3361
Closed conduit hydroelectric generating facility, net energy metering eligibility extended to customer–generator that uses	47	247
Energy from waste–to–energy (formerly Tier 2) and refuse–derived fuel added as Tier 1 renewable sources, and facilities are eligible for inclusion in meeting the renewable energy portfolio only if connected with the electric distribution grid serving Maryland	519	3044
Income tax credit for electricity produced from qualified energy resources, requirement that certain qualified waste material be only solid or cellulosic, repealed	565	3359
Net energy metering, provisions altered for net excess generation accrual and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline; provisions added for monthly payment option for customers of certain electric cooperatives	405 406	2421 2427
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83 84	484 488
Solar energy equipment or residential wind energy equipment for use in certain residential property, sales and use tax exemption for sale of electricity generated by, provisions added	461 462	2720 2722

	Chapter	Page
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Solar water heating systems, established as a Tier 1 renewable source and eligible for inclusion in meeting the renewable energy portfolio standard; renewable energy credit provisions added	407	2434
	408	2437
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Ambulances —		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Grants and loans made by the Maryland State Firemen's Association to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Ambulatory Health Care Facilities SEE Clinics		
Amusement Parks and Carnivals —		
State Amusement Ride Safety Advisory Board, membership provisions altered	99	531
Amusement Tax SEE Admissions and Amusement Tax		
Anatomical Gifts SEE Organ Donorship		
Animals —		
Animal abuse, neglect, or cruelty violations, court authorized to prohibit violators from owning, possessing, or residing with an animal as a condition of probation	26	192
	27	194
Animal health, appropriation for	395	1897
Award of temporary possession of a pet of a person eligible for relief or a respondent in an interim or a temporary or final protective order, provisions added	283	1415
	284	1421
Canine operations in the Division of Correction, appropriation for	395	1943
Carroll County –		
Deer hunting on private property on certain Sundays, restrictions altered	237	1077
HART Animal Adoption Center, bond funds for	396	2175
Junior deer hunt, establishment required	120	600
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added	297	1477
Marketing, Animal Industries, and Consumer Services, Office of, appropriation to	395	1897
		2058
Maryland Zoo in Baltimore –		
Appropriation for grant to	395	1837

	Chapter	Page
		1965
Bond funds for	396	2164
Plumpton Park Zoological Garden, bond funds for	396	2187
Restaurants with outdoor dining areas, authority to allow patron's dog to accompany patron, provisions added	607	3553
Salisbury Zoological Park –		
Animal Health Clinic –		
Bond funds for	396	2192
Previous bond provisions altered	396	2246
		2247
Appropriation to	395	1965
Spay/Neuter Fund, Task Force on the Establishment of a Statewide, established; report required	266	1228
Trimming and maintaining horse hooves by farriers or certain others, excluded from definition of the practice of veterinary medicine	7	145
Veterinary technicians excluded from application of the term "practice of veterinary medicine" when performing procedures under certain circumstances, provisions altered	56	269
Wildlife and Heritage Service, appropriation to	395	1887
		2025
Annapolis —		
Annapolis Data Center operations, appropriation for	395	1857
Historic Annapolis Foundation, appropriation for grant to	395	1837
State Bonds –		
Annapolis and Anne Arundel County Conference and Visitors Bureau Center	396	2169
Annapolis High School, stadium upgrades	396	2166
Annapolis Market House	396	2183
Annapolis Recreational Center on St. Mary's Street	396	2228
Annapolis Summer Garden Theatre, previous bond provisions altered	396	2238
Annapolis underground wiring, previous bond provisions altered to provide funding for Maryland Hall for the Creative Arts	396	2231
		2233
Bates Middle School, gymnasium and theatre renovations	396	2166
Charles Carroll House	396	2169
Clay Street development	396	2183
Eastport Fire Station and Paramedic Unit, previous bond provisions altered for the purpose of funding the Annapolis Recreational Center on St. Mary's Street	396	2228
Lowe House Office Building, previous bond provisions altered	396	2148
		2210
		2214
Maryland Hall for the Creative Arts	396	2163
		2231
		2233
Pathways Alcohol and Drug Treatment Center at the Anne Arundel Medical Center	396	2166
State House –		
Exhibits	396	2148
Old Senate Chamber	396	2148

	Chapter	Page
		2217
Wiley H. Bates Heritage Park, turf field	396	2166
William Paca House, previous bond provisions altered	396	2246
Anne Arundel County —		
Alcoholic Beverages –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Entertainment facility license for use by video lottery facility and entertainment concessionaire license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Board of Education members, reappointment and terms, provisions altered	177	837
	178	842
Electronic bingo and tip jar machines, impact grants to Anne Arundel County and Calvert County, provisions added	397	2353
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Occupational disease presumption for purposes of workers' compensation for deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Property tax assessment appeal board, number of alternate members increased	10	153
Property tax credit for certain real property leased to public charter schools, provisions added	95	522
State Bonds –		
Andover Park fields and field house	396	2169
		2183
Annapolis and Anne Arundel County Conference and Visitors Bureau Center	396	2169
Annapolis High School, stadium upgrades	396	2166
Annapolis Market House	396	2183
Annapolis Recreational Center on St. Mary's Street	396	2228
Annapolis Summer Garden Theatre, previous bond provisions altered	396	2238
Annapolis underground wiring, previous bond provisions altered to provide funding for Maryland Hall for the Creative Arts	396	2231
		2233
Anne Arundel Community College Library, previous bond provisions altered	396	2213
Arundel Lodge	396	2169
		2183
Bates Middle School, gymnasium and theatre renovations	396	2166
Carrie Weedon Science Center, previous bond provisions altered	396	2229
Carroll Field Puglise Stadium field lights	396	2169

	Chapter	Page
Charles Carroll House	396	2169
Clay Street development	396	2183
Eastport Fire Station and Paramedic Unit, previous bond provisions altered for the purpose of funding the Annapolis Recreational Center on St. Mary's Street	396	2228
Lowe House Office Building, previous bond provisions altered	396	2148 2210 2214
Maryland Hall for the Creative Arts	396	2163 2231 2233
Maryland House of Correction deconstruction	396	2154
Pathways Alcohol and Drug Treatment Center at the Anne Arundel Medical Center	396	2166
Reece Road Community Health Center	396	2166
Sandy Point State Park	396	2152
South River High School Media Center	396	2170
Southern and Broadneck High School field lights, previous bond provisions altered	396	2209
State House –		
Exhibits	396	2148
Old Senate Chamber	396	2148 2217
Wiley H. Bates Heritage Park, turf field	396	2166
William Paca House, previous bond provisions altered	396	2246
Annotated Code of Maryland —		
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Corrective bill, adopted	65	298
Curative bill, adopted	64	282
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Worcester County –		
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Annual Reports SEE Reports		
Antitrust Enforcement —		
Antitrust Division in the Office of the Attorney General, appropriation to	395	1834
Apartments —		

	Chapter	Page
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added	596	3490
Homecrest House, bond funds for	396	2176
Appeals —		
Baltimore City –		
Administrative adjustments to certain local zoning ordinance requirements, provisions added	444	2664
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Contract Appeals, State Board of, appropriation to	395	1845
		2020
		2048
		2071
		2076
		2080
Crime victims' rights, court assurance in criminal proceeding that victim is afforded rights provided by law, and judgment of restitution for victim whose right to restitution was improperly denied or not considered, provisions added	362	1708
Criminal Appeals Division of the Office of the Attorney General, appropriation to	395	1834
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Prince George's County –		
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered	617	3599
Unemployment Insurance –		
Benefits claims, period of time after which decisions are final that relate to claims appealed to units in the Department of Labor, Licensing, and Regulation, provisions added	108	553
Passage by Board of Appeals of an order in accordance with the final decision in a judicial review proceeding for an appeal, requirement repealed	12	160
Workers' Compensation Commission –		
Decisions, venue for filing an appeal with the circuit court, provisions altered	256	1179
	257	1180
Retention of jurisdiction pending appeal of workers' compensation order to consider a proposed settlement of a claim, provisions added	45	244
	46	246
Appliances SEE Equipment		

	Chapter	Page
Appointed Officials SEE Public Officials		
Appraisals —		
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or State law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Apprentices —		
Apprenticeship and training, appropriation for	395	1935
Commercial tidal fish license apprenticeship program, practical experience requirements altered; provision added that program may not be used to obtain a seafood landing license	86	494
Appropriations —		
Academic reform and innovation	395	1956
Adjutant General	395	2055
Administrative Hearings, Office of	395	1853
		2055
		2064
		2072
		2074
		2077
		2079
Administrative Office of the Courts	395	1829
Adult Corrections Program	395	1937
Adult Education and Literacy Program	395	1937
African American Museum Corporation	395	1991
Aging, Department of	395	1843
		2018
		2054
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2080
		2139
Aging Schools Program	395	1843
Agricultural and Resource–Based Industry Development Corporation	395	1898
		2026
Required annual appropriations for rural business development and assistance, provisions altered	397	2266

	Chapter	Page
Agricultural Commission	395	1896
Agricultural Fair Board	395	1898
Agricultural Land Preservation Foundation	395	1896
Agricultural Statistics Services	395	1897
Agriculture, Department of	395	1896
		2058
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2139
		2140
Air and Radiation Management Administration	395	2000
		2062
		2132
Alcohol and Drug Abuse Administration	395	1909
		2029
		2059
		2094
Alice Ferguson Foundation	395	1964
Alliance of Southern Prince George's Communities, Inc.	395	1964
American Visionary Art Museum	395	1964
Animal health	395	1897
Annapolis Data Center operations	395	1857
Antitrust Division	395	1834
Apprenticeship and training	395	1935
Aquaculture development and seafood marketing	395	1897
Archivist, State	395	2055
Arts Council, Maryland State	395	1996
Arts Excel – Baltimore Symphony Orchestra	395	1964
Assessments and Taxation, State Department of	395	1859
		2024
		2056
		2071
		2072
		2076
		2077
		2081
		2135
		2139
		2140
Assistance payments	395	1931
		2035
Attorney General	395	1831
		2048
		2053
		2070
		2072
		2073

	Chapter	Page
		2074
		2075
		2076
		2078
		2079
		2080
		2139
Aviation Administration	395	1883
		2050
B&O Railroad Museum	395	1964
Baltimore City Community College	395	1978
		1983
		2075
		2079
		2080
		2082
		2128
Baltimore City Correctional Center	395	1945
Baltimore City Detention Center	395	1954
Baltimore Convention Center	395	1844
		2019
Baltimore Museum of Industry	395	1964
Baltimore Pre–Release Unit	395	1945
Bay Restoration Fund –		
Capital appropriation for septic systems	395	1998
Debt service	395	2001
		2041
Behavioral Health and Disabilities, Deputy Secretary for	395	1908
		2059
Best Buddies International (MD Program)	395	1964
Biotechnology Center	395	1992
Biotechnology Investment Tax Credit Reserve Fund	395	1994
Blind Industries and Services of Maryland	395	1964
Blind, Maryland School for the	395	1964
Boating Services	395	1892
Bond sale expenses	395	1858
Bowie State University	395	1970
		1977
		1983
BRAC Preservation Loan Fund	395	1990
Brockbridge Correctional Facility	395	1947
Budget amendments for appropriations that could be included in a deficiency appropriation, policies and procedures to minimize reliance on, requirements added	395	2086
Budget amendments to increase special, federal, or higher education fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Control and Prevention or the Emergency Management Agency, restrictions added	395	2086
Budget Analysis, Office of	395	1864
		2056
Budget and Management, Department of	395	1862
		2056
		2071

	Chapter	Page
		2072
		2074
		2076
		2077
		2079
		2081
		2139
		2140
Budget for fiscal year 2012	395	1826
Budget Reconciliation and Financing Act of 2011	397	2248
Building codes	395	1988
Business and Economic Development, Department of	395	1992
		2062
		2071
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2139
		2140
Business and Enterprise Development, Division of	395	1993
		2062
Canal Place Preservation and Development Authority	395	1853
		2072
		2077
Canine operations in the Division of Correction	395	1943
Capital Budgeting, Office of	395	1864
		2057
Career and College Readiness, Division of	395	1957
Career and technology education	395	1962
Central Booking and Intake Facility	395	1954
Central Collection Unit	395	1862
Central Maryland Correctional Facility	395	1949
Central Payroll Bureau	395	1856
		2056
Certification and Accreditation, Division of	395	1958
Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program	395	1975
Charter Unit	395	1860
Chemist, State	395	1899
Chesapeake Bay Foundation	395	1964
Chesapeake Bay Maritime Museum	395	1964
Child Care Subsidy Program	395	1964
		2126
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Child Support Enforcement Administration	395	1931
		2059
Child Support Enforcement Administration, local	395	1931
Child welfare services	395	1930
Children at risk	395	1961

	Chapter	Page
Children's Cabinet Interagency Fund	395	1968
		2039
		2064
Children's Health Program	395	1924
		2033
Circuit Courts –		
Clerks	395	1830
Judges	395	1829
		2048
Citizen's Review Board for Children	395	1927
Citizenship–Law Related Education	395	1964
Civic Justice Corps	395	2109
Civil Litigation Division of the Office of the Attorney General	395	1834
Clerks of court	395	2048
Clifton T. Perkins Hospital Center	395	1911
		1916
College Access Challenge Grant Program	395	1974
College Bound	395	1965
College Prep/Intervention Program	395	1973
Community college aid for fringe benefits	395	1973
		2081
Community developmental disabilities services	395	1917
		2112
Community Health Resources Commission	395	1926
Community mental health services	395	1913
		2111
		2112
Community Surveillance and Enforcement Program	395	1952
Compensatory education	395	1960
		2124
Complete College Maryland	395	1974
Comptroller	395	1855
		2049
		2055
		2071
		2072
		2074
		2076
		2077
		2079
		2081
		2107
		2139
		2140
Construction Education and Innovation, Maryland Center for	395	2117
Consumer Protection Division	395	1833
Contingency reserve for funds not allotted, provisions added	395	2047
Contract Appeals, State Board of	395	1845
		2020
		2048
		2071
		2076
		2080
Contract Litigation Division of the Office of the Attorney		

	Chapter	Page
General	395	1834
Coppin State University	395	1970
		1977
		1983
Correction, Division of	395	1942
		2060
Correctional Litigation Division of the Office of the Attorney General	395	1834
Correctional Pre–Release System	395	1947
Correctional Standards, Commission on	395	1953
Correctional Training Commission	395	1952
		2122
Council of State Governments	395	1837
Court of Appeals	395	1828
Court of Appeals, judges	395	2048
Court of Special Appeals	395	1829
Court of Special Appeals, judges	395	2048
Cover crop payments to farmers	395	2111
Credit Assurance, Division of	395	1988
		2061
Criminal Appeals Division of the Office of the Attorney General	395	1834
Criminal Injuries Compensation Board	395	1953
Criminal Investigation Division of the Office of the Attorney General	395	1834
Criminal Sentencing Policy, State Commission on	395	1841
Critical Area Commission	395	1892
		2058
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Crownsville Hospital Center	395	1915
Dam rehabilitation	395	1889
Deaf and Hard of Hearing, Office of the	395	1838
		2071
		2075
		2080
Deaf, Maryland School for the –		
Columbia Campus	395	1986
		2071
		2073
		2074
		2076
		2078
		2079
		2081
		2128
Frederick Campus	395	1985
		2061
		2071
		2073
		2074
		2076
		2078
		2079

	Chapter	Page
		2081
		2128
Dedicated Purpose Account in the State Reserve Fund	395	2015
Deer's Head Center	395	1908
Deficiency appropriations	395	2016
Delegate Scholarships	395	1975
		2127
Development Finance, Division of	395	1989
		2061
Developmental Disabilities Administration	395	1917
		2031
		2059
Developmental Disabilities Administration –		
Court Involved Service Delivery System	395	1918
Waiting List initiative, alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation to	571	3378
Disabilities, Department of	395	1838
		2054
		2071
		2073
		2074
		2075
		2078
		2079
		2080
Disease prevention and control	395	1907
		2028
Disparity grants to counties	395	1826
		1959
Distinguished Scholar Program	395	1975
District Court	395	1829
District Court, judges	395	2048
Drinking Water Revolving Loan Fund, capital appropriation	395	1998
The Dyslexia Tutoring Program, Inc.	395	1965
Early Childhood Development, Division of	395	1956
		2038
Eastern Correctional Institution	395	1949
Eastern Pre–Release Unit	395	1948
Eastern Shore Hospital Center	395	1911
		1915
Echo Hill Outdoor School	395	1965
Economic Development Assistance Authority Fund	395	1995
Economic Policy and Legislative Affairs, Office of	395	1992
Education, aid to	395	1938
		1959
Education, State Department of	395	1955
		2037
		2071
		2073
		2076
		2077
		2078
		2081

	Chapter	Page
		2123
		2139
Educational Excellence Awards	395	1974
Educationally deprived children	395	1962
Edward T. Conroy Memorial Scholarship Program	395	1975
Elections, State Board of	395	1844
		2054
		2071
		2076
		2080
Electricity for all Executive Branch agencies, funding reduction and allocation schedule, requirement added	395	2094
Emergency Management Agency	395	1848
Emergency Medical Services Systems, Maryland Institute for	395	1849
		2049
		2072
		2074
		2077
		2079
Employee's and Teacher's Retirement Systems, funding reduced for various State agencies for fiscal 2012	395	2080
Employment standards	395	1935
Energy Administration	395	1838
		2054
		2072
		2073
		2074
		2077
		2078
		2079
Energy Efficiency and Conservation Programs	395	1839
Enterprise Investment Fund and Challenge Programs	395	1994
Environment, Department of	395	1998
		2062
		2071
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2095
		2132
		2139
		2140
Environmental Trust	395	1893
Ethics Commission	395	1841
		2017
Executive Department	395	1838
		2017
Executive Pay Plan –		
Salary schedule	395	2052
Transportation Department, salary schedule	395	2063

	Chapter	Page
Facilities Operation and Maintenance, Office of	395	1870 2057
Facilities Planning, Design and Construction, Office of	395	1872 2057
Facilities Security, Office of	395	1870
Family Health Administration	395	1906 2028
Family Investment Administration	395	1931 2060
Family Investment Program, payments to local jurisdictions	395	1930
Family Law Division of the circuit courts	395	1830
Federal funds appropriated in operating budget, policies for administration of, established	395	2083
Film Production Rebate Program	395	1847 1996 2131
Financial Management Information System (FMIS) modification	395	2107 2108
Financial Regulation, Division of	395	1935
Fire Marshal	395	2013
Fire Prevention Commission	395	2013
Fisheries services	395	1895 2110
Food quality assurance	395	1897
Food Services Program	395	1963
Forest Service	395	1885 1886
Formula programs for specific populations	395	1961
Foster care maintenance payments	395	1929 2034
Frostburg State University	395	1970 1977 1983 2126
Garrison Forest Veterans Cemetery	395	2106
General Accounting Division of the Office of the Comptroller	395	1855 2055
General Assembly	395	1826 2070 2075 2080
General Services, Department of	395	1870 2057 2071 2072 2073 2074 2076 2077 2078 2079 2081 2139
Geological Survey, Maryland	395	1893

	Chapter	Page
Gifted and talented	395	1962
Governor	395	1838
		2017
		2048
		2053
		2071
		2074
		2075
		2079
		2080
Governor's Grants Office	395	1841
Governor's Office for Children	395	1842
		2018
		2054
		2071
		2075
		2080
		2105
Governor's Office of Community Initiatives	395	1840
		2017
Governor's Office of Crime Control and Prevention	395	1841
		2104
Governor's Workforce Investment Board	395	1933
		2117
Graduate and Professional Scholarship Program	395	1975
Guaranteed Tax Base Program for State aid to education	395	1959
		1962
		2125
		2137
Harry Hughes Center for Agro–Ecology	395	1974
Head Start	395	1964
Health and Mental Hygiene, Department of	395	1903
		2027
		2058
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2091
		2092
		2136
		2139
		2140
Health Care Access and Cost Commission	395	2059
Health Care Alternative Dispute Resolution Office	395	1841
Health Care Commission	395	1925
Health Care Quality, Office of	395	1904
Health Care Reform project	395	1866
Health Personnel Shortage Incentive Grant Program	395	1976

	Chapter	Page
Health professionals boards and commissions	395	1904 2111
Health Services Cost Review Commission	395	1925 2059
Help America Vote Act	395	1844 2019
Heritage Conservation Fund	395	1889
Higher Education Commission	395	1972 2040 2061 2071 2073 2074 2076 2077 2078 2079 2081 2139
Highway Administration, State	395	1880 2049 2095
Highway Safety Operating Program	395	1881
Highway user revenues, distribution to counties and municipalities	395	1881 2109
Hippodrome Performing Arts Center	395	1844 2019
Historic Annapolis Foundation	395	1837
Historic preservation, capital appropriation	395	1847
Historic St. Mary's City Commission	395	1842 2071 2072 2075 2077 2080
Holly Center	395	1918
Home and Community Based Waiver for Children with Autism Spectrum Disorder	395	1958
Home Energy Programs, Office of	395	1932 2035
Homeownership Programs	395	1989 2040 2129
Horse Industry Board	395	1897
House of Delegates	395	1826
Housing and Community Development, Department of	395	1987 2061 2073 2077 2078 2140
Housing Development Program	395	1989
Housing Fund	395	1988

	Chapter	Page
Human Relations, Commission on	395	1843
		2054
		2071
		2073
		2076
		2078
		2080
		2139
Human Resources, Department of	395	1927
		2059
		2071
		2072
		2073
		2076
		2077
		2078
		2081
		2092
		2139
		2140
Humanities Council, Maryland	395	1965
		2105
	397	2353
Imagination Stage	395	1965
Industrial Development Financing Authority	395	1994
Infectious Disease and Environmental Health Administration	395	1905
		2028
Information Technology, Department of	395	1865
		2057
		2071
		2072
		2074
		2076
		2077
		2079
		2081
		2107
		2139
Inmate Grievance Office	395	1952
Instruction, Division of	395	1957
		2038
Insurance Administration	395	1851
		2049
		2055
		2072
		2077
		2140
Insurance Commissioner	395	2055
Integrated Tax System Administration Center	395	1857
International Trade and Investment, Office of	395	1993
Interstate Educational Compacts in Optometry	395	1974
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and		

	Chapter	Page
certification of venture firms, provisions added	409	2440
Jack F. Tolbert Memorial Student Grant Program	395	1975
Jane E. Lawton Conservation Loan Program, capital appropriation	395	1839
Janet L. Hoffman Loan Assistance Repayment Program	395	1976
Jessup Correctional Institution	395	1944
		2121
Jessup Pre–Release Unit	395	1948
Jewish Museum of Maryland	395	1965
John L. Gildner Regional Institute for Children and Adolescents	395	1916
Joseph A. Sellinger formula for aid to nonpublic institutions of higher education	395	1973
Joseph D. Brandenberg Center	395	1918
Judgments against the State	395	1837
Judicial Information Systems	395	1830
Judiciary	395	1828
		2048
		2070
		2075
		2080
Junior Achievement of Central Maryland	395	1965
Juvenile facilities, residential and community operations	395	2003
		2042
		2063
Juvenile Justice Monitoring Program	395	1834
Juvenile Services, Department of	395	2002
		2062
		2071
		2074
		2076
		2078
		2081
		2094
		2133
		2140
Juvenile Services Education Program	395	1957
		2008
		2038
Kidney disease treatment services	395	1924
		2033
Labor and Industry, Division of	395	1935
		2060
Labor, Licensing, and Regulation, Department of	395	1933
		2035
		2060
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081

	Chapter	Page
		2116
		2139
		2140
Labor, Licensing, and Regulation, Department of –		
Board of Appeals	395	1933
		2118
Lower Appeals	395	1933
		2118
Labor Relations Board, State	395	1842
		2018
Laboratories Administration	395	1908
		2029
		2059
Land Management Administration	395	1999
		2062
Language assistance	395	1962
Law enforcement operations	395	2082
Legal Services Program	395	1927
Legislative Audits, Office of	395	1827
Legislative Information Systems, Office of	395	1827
Legislative Services, Department of	395	1826
Library Development and Services, Division of	395	1957
Library Network, State	395	1963
Lieutenant Governor	395	2048
Limited English proficient	395	1962
		2125
Living Classrooms Foundation	395	1965
Lottery Agency, State	395	1860
		2056
		2071
		2072
		2076
		2077
		2081
		2140
Major Information Technology Development Project Fund	395	1865
Marketing and Communications, Division of	395	1993
		2062
Marketing, Animal Industries, and Consumer Services, Office of	395	1897
		2058
Maryland Academy of Sciences	395	1965
Maryland Correctional Adjustment Center	395	1945
		2121
Maryland Correctional Enterprises	395	1950
		2037
Maryland Correctional Institution –		
Hagerstown	395	1946
Jessup	395	1944
Maryland Correctional Institution for Women	395	1947
Maryland Correctional Training Center	395	1946
Maryland Fire and Rescue Institute (MFRI)	395	1983
Maryland Health Insurance Plan	395	1851
		2023
		2072

	Chapter	Page
		2077
Maryland Historical Society	395	1965
Maryland Judicial Conference	395	1829
Maryland Leadership Workshops	395	1965
Maryland Mathematics, Engineering and Science Achievement	395	1965
Maryland Reception, Diagnostic, and Classification Center	395	1945
Maryland Zoo in Baltimore	395	1837
		1965
Medicaid Fraud Control Unit	395	1834
Medical assistance eligibility determination	395	1925
		2115
Medical Care Programs Administration	395	1919
		2031
		2059
		2112
Medical care provider reimbursements	395	1921
		2032
		2113
		2137
Medical Examiner	395	1907
		2029
		2058
Mental Hygiene Administration	395	1910
		2030
Metropolitan Transition Center	395	1945
Mid–Shore Regional Council	395	1995
Military Affairs and Base Realignment, Office of	395	1994
Military Department	395	1848
		2023
		2054
		2071
		2073
		2076
		2078
		2080
		2106
		2139
Military Personnel and Service–Disabled Veteran Loan Program	395	1995
Minority Affairs, Office of	395	1840
Montgomery County Convention Center	395	1844
Morgan State University	395	1968
		1978
		1983
		2074
		2075
		2079
		2080
		2082
Motor Vehicle Administration	395	1882
		2064
Museum services	395	1846
National Aquarium in Baltimore	395	1965
National Great Blacks in Wax Museum	395	1965
National Museum of Ceramic Art and Glass	395	1965

	Chapter	Page
Natural Resources, Department of	395	1885
		2057
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2095
		2109
		2139
		2140
Natural Resources, Department of –		
Capital improvements	395	1889
Licensing and Registration Service	395	1890
Natural Resources Development Fund	395	1889
Natural Resources Police	395	1890
		2025
Neighborhood Revitalization, Division of	395	1988
		2061
		2129
9–1–1 Emergency Number Systems	395	1942
Nonpublic school aid for textbooks or electronically delivered learning materials	395	1965
North Branch Correctional Institution	395	1950
Northbay Adventure	395	1965
Not–For–Profit Development Center Program Fund	395	1994
Nurse Support Program II	395	1976
Nursing, Board of	395	1905
Occupational and Professional Licensing, Division of	395	1936
		2060
		2118
Occupational Safety and Health Administration	395	1935
Ocean City Beach Replenishment Fund	395	1889
Ocean City Convention Center	395	1844
		2019
Ocean City maintenance	395	1891
OCR (Office of Civil Rights) Enhancement Fund	395	1974
Olney Theatre	395	1965
Outdoor Recreation Land Loan	395	1888
Outward Bound	395	1965
Oyster Recovery Partnership	395	2110
Park Service	395	1885
		1887
Parking facilities	395	1871
Parole and Probation, Division of	395	1951
		2060
Parole Commission	395	1950
		2050
Part–time Grant Program	395	1976
Partnership for Workforce Quality	395	1993

	Chapter	Page
Patuxent Institution	395	1952
People's Counsel, Office of the	395	1836
		2053
		2072
		2077
People's Insurance Counsel Division	395	1834
Personnel Services and Benefits, Office of	395	1862
		2056
Physicians Loan Assistance Repayment Program	395	1976
Physicians, State Board of	395	1905
Planning, Department of	395	1845
		2020
		2054
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2080
		2105
		2139
Plant Industries and Pest Management, Office of	395	1899
		2058
Police protection, State aid to local jurisdictions	395	2011
Police Training Commission	395	1952
		2122
Policy Analysis, Office of	395	1827
Port Administration	395	1881
		2049
Port Discovery	395	1965
Potomac Center	395	1918
Power Plant Assessment Program	395	1893
Preparedness and Response, Office of	395	1907
		2029
Preservation of Cultural Arts Program	395	1996
		2041
Preservation services	395	1847
Pretrial Detention and Services, Division of	395	1953
		2061
Prevailing wage	395	1935
Prince George's County Health System	395	2015
Prince George's Hospital	395	2015
Private Donation Incentive Grants	395	1976
Problem–Solving Courts, Office of	395	2094
Procurement and Logistics, Office of	395	1871
		2108
Procurement Policy and Administration, Division of	395	1862
Program Open Space bond debt service payments	395	2046
Property Tax Assessment Appeals Boards	395	1861
		2071
		2076

	Chapter	Page
		2081
Property Tax Credit Programs	395	1860
Public Broadcasting Commission	395	1969
		2039
		2071
		2073
		2076
		2077
		2078
		2081
		2139
		2140
Public Defender	395	1831
		2016
		2048
		2053
		2070
		2072
		2074
		2075
		2076
		2078
		2080
		2139
Public health services	395	1906
Public Health Services, Deputy Secretary for	395	1905
		2027
		2058
Public libraries	395	1963
Public Safety and Correctional Services, Department of	395	1939
		2036
		2060
		2071
		2073
		2076
		2077
		2078
		2081
		2092
		2121
		2139
		2140
Public school construction, alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation for	572	3380
Public School Labor Relations Board	395	2018
Public Service Commission	395	1835
		2048
		2053
		2072
		2073
		2077
		2078
		2104

	Chapter	Page
		2140
Public Works, Board of	395	1837
		2071
		2075
		2080
Racing Commission	395	1936
Racing, Division of	395	1936
Racing Facililty Redevelopment Program	395	1936
Racing revenue shares to local subdivisions	395	1936
Railroad safety and health	395	1935
Real Estate, Office of	395	1871
		2057
Refugees and Asylees, Office for	395	1932
Regional Higher Education Centers	395	1974
Regional Institute for Children and Adolescents –		
Baltimore	395	1915
Southern Maryland	395	1917
Rehabilitation Services, Division of	395	1958
		2038
Reimbursable lease management	395	1871
Renewable and Clean Energy Programs and Initiatives	395	1840
Rental Housing Programs	395	1990
		2129
Rental Services Programs	395	1989
Residential boarding education programs for at–risk youth,		
funding provisions altered	503	2985
	504	2987
Residential Electricity Rate Relief Program	395	1839
Resource conservation grants	395	1901
		2111
Resource Conservation, Office of	395	1900
		2058
Resource conservation operations	395	1900
		2110
Retirement Agency, State	395	1869
		2072
		2077
		2140
Revenue Administration Division of the Office of the		
Comptroller	395	1855
		2055
Revenue Estimates, Bureau of	395	1855
		2055
Rosewood Center	395	1918
		2031
Roxbury Correctional Institution	395	1946
Rural Legacy	395	1889
Safety inspection	395	1935
St. Mary's College of Maryland	395	1968
		1978
		2074
		2075
		2079
		2080

	Chapter	Page
		2082
Salaries and wages for State employees, funding reduced within executive branch agencies in fiscal 2012	395	2081
		2094
		2139
Salaries for nonclassified State government positions	395	2047
Salisbury University	395	1970
		1977
		1983
Salisbury Zoological Park	395	1965
Saratoga State Center, capital appropriation	395	1871
School Construction, Interagency Committee for	395	1842
		2054
		2071
		2075
		2080
School employee fringe benefits, aid for local	395	1960
		2081
School technology	395	1963
School transportation	395	1963
Science and Mathematics Education Initiative	395	1963
Science Services Administration	395	1999
Secretary of State	395	1842
		2048
		2071
		2075
		2080
		2139
Securities Division	395	1833
Senate	395	1826
The Senator John A. Cade funding formula for the distribution of funds to community colleges	395	1973
		2040
Senatorial Scholarships	395	1975
Senior Centers Operating Fund	395	1843
Senior Prescription Drug Assistance Program	395	1851
		2023
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Small Business Development Financing Authority	395	1993
		2130
Small, Minority, and Women–Owned Business Investment Account	395	1994
Smart Growth, Office of	395	1848
Social Services Administration	395	1928
		2034
		2059
Social Services Administration, local department operations	395	1929
Sotterley Foundation	395	1965
South Baltimore Learning Center	395	1965
Southern Maryland Pre–Release Unit	395	1948
Special Education/Early Intervention Services, Division of	395	1957
		2123

	Chapter	Page
Spring Grove Hospital Center	395	1911
		1915
		2030
Spring Grove Hospital Center, redevelopment plan and report	395	1912
Springfield Hospital Center	395	1911
		1915
		2030
Stadium Authority	395	1844
Stadium Facilities Fund	395	1844
State Agency Loan Program in the Energy Administration, capital appropriation	395	1839
State Archives	395	1850
		2055
		2071
		2072
		2076
		2077
		2081
	397	2353
State bonds, redemption and interest	395	2014
		2046
		2134
State Employee and Retiree Health Insurance, reduction of appropriations for, provisions added	395	2065
		2070
		2075
State House Master Plan	397	2353
State Law Library	395	1830
State Mentoring Resource Center	395	1965
State operated institutions of higher education	395	1977
		2071
		2076
		2081
State Police, Department of	395	2011
		2045
		2063
		2071
		2073
		2076
		2077
		2081
		2133
		2140
State Police, Department of, Aviation Division equipment repair	395	2133
State Prosecutor	395	1835
		2048
		2071
		2075
		2080
State Reserve Fund, Dedicated Purpose Account	395	2015
State Retirement and Pension Systems	395	1869
		2049
		2057

	Chapter	Page
	397	2322
State Share of Foundation Program	395	1959
		2039
		2124
State–run psychiatric hospital capacity, independent study of factors for determining the future need for	395	1911
Stem Cell Research Fund	395	1996
Student, Family and School Support, Division of	395	1957
Students with disabilities	395	1961
		2124
Subsequent Injury Fund	395	1836
		2016
		2053
		2072
		2077
Sultana Projects	395	1965
Super Kids Camp	395	1965
Superintendent of Schools	395	2050
		2061
Supplemental Budget No. 1	395	2099
Survey Commissions	395	1840
Sustainable Communities Tax Credit	395	1847
		2022
Tax Court	395	1835
		2071
		2075
		2080
Teacher development	395	1963
Teachers and State Employees Supplemental Retirement Plans	395	1869
		2025
		2057
		2072
		2077
		2140
Technology Development Corporation, Maryland	395	1996
Telecommunications Access of Maryland	395	1868
Thomas B. Finan Hospital Center	395	1911
		1914
Tobacco Transition Program	395	1898
Tort claims	395	2051
Tourism Development Board	395	1996
		2041
Tourism Development, Office of	395	1996
Tourism, Film and the Arts, Division of	395	1995
		2062
Towson University	395	1970
		1977
		1983
Transit Administration	395	1882
		2050
Transitional Education Funding Program	395	1963
Transportation debt service requirements	395	1880
Transportation, Department of	395	1873
		2063

	Chapter	Page
		2072
		2073
		2077
		2078
		2082
		2108
		2140
Transportation, Department of, law enforcement operations	395	2082
Transportation operating grants–in–aid	395	1877
Transportation Technology Services, Office of	395	1878
		2108
Treasurer, State	395	1858
		2049
		2056
		2071
		2072
		2074
		2076
		2077
		2079
		2081
Tri–County Council for Southern Maryland	395	1995
Tri–County Council for the Lower Eastern Shore of Maryland	395	1995
Tri–County Council for Western Maryland	395	1995
Unemployment insurance extended benefits that are 100% federally funded, payment provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Unemployment Insurance, Office of	395	1938
		2036
		2060
		2120
Uninsured Employers' Fund	395	1836
		2016
		2053
		2072
		2077
University of Baltimore	395	1970
		1977
		1983
		2126
University of Maryland –		
Baltimore	395	1969
		1977
		1983
Baltimore County	395	1971
		1977
		1983
Baltimore, Wellmobile	395	2127
Center for Environmental Science	395	1971
		1977
		1983
		2110
College Park	395	1969

	Chapter	Page
		1977
		1983
Eastern Shore	395	1970
		1977
		1983
University College	395	1971
		1977
		1983
		2126
University System of Maryland	395	1969
		1971
		1977
		1978
		1983
		2075
		2079
		2080
		2082
Upper Shore Community Mental Health Center	395	1917
Upper Shore Regional Council	395	1995
Vehicle Theft Prevention Council	395	2013
Veterans –		
Cemetery Program	395	1849
		2106
Memorials and Monuments Program	395	1850
Veterans Home Program	395	1850
		2023
		2106
Veterans Affairs, Department of	395	1849
		2055
		2071
		2072
		2073
		2076
		2077
		2078
		2080
Veterans of the Afghanistan and Iraq Conflicts Scholarships	395	1976
Veterinary Medical Examiners, State Board of	395	1897
Video lottery terminal local impact grants	395	1936
Video lottery terminal operations	395	1861
		2024
The Village Learning Place, Inc.	395	1965
Walter P. Carter Community Mental Health Center	395	1914
Walters Art Museum	395	1965
Ward Museum	395	1965
Washington Center for Internships and Academic Seminars	395	2127
Washington Metropolitan Area Transit	395	1878
Commission	395	1835
Water Management Administration	395	1999
		2062
		2131
Water quality monitoring stations in streams that originate outside Maryland	395	1894

	Chapter	Page
Water Quality Revolving Loan Fund, capital appropriation	395	1998
Watershed services	395	1894
		2109
Waterway Improvement Capital Program	395	1892
Weights and measures	395	1897
Western Correctional Institution	395	1949
Western Maryland Center	395	1908
Wetlands Administration	395	1837
Wildlife and Heritage Service	395	1887
		2025
Women, Commission for	395	1927
Workers' Compensation Commission	395	1836
		2048
		2072
		2077
		2140
Workforce Development and Adult Learning, Division of	395	1937
		2060
		2119
Workforce Shortage Student Assistance Grants	395	1976
YouthWorks	395	2120
Aquaculture —		
Appropriation for aquaculture development and seafood marketing	395	1897
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701
Arbitration —		
See also Alternative Dispute Resolution; Mediation		
Baltimore City –		
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Architects —		

	Chapter	Page
Retired status license, issuance to experienced architects under certain circumstances, provisions added	50	253
State Board of Architects, termination date of statutory provisions and regulations extended; evaluation required; report required regarding the sufficiency of the balance in the State Occupational and Professional Licensing Design Boards' Fund	316	1547
Architectural Barriers SEE Disabilities		
Archives —		
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
State Archives, appropriation to	395	1850
		2055
		2071
		2072
		2076
		2077
		2081
	397	2353
State Archivist, appropriation for	395	2055
	397	2353
Armed Forces —		
See also Militia; Veterans		
Adjutant General required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
BRAC Preservation Loan Fund, appropriation for	395	1990
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Flag to honor and remember members of the armed forces who died in the line of duty and POW/MIA flag, requirements for flying on State House grounds, provisions added and altered	422	2550
Hunting license exemption for armed forces member with a service–connected disability, provisions expanded	543	3233
Medal of Honor recipient, exemption from paying fee for renewal of motor vehicle registration and driver's license, provisions added	413	2518
	414	2519
Military Affairs and Base Realignment, Office of, appropriation to	395	1994
Military Personnel and Service–Disabled Veteran Loan Program, appropriation for	395	1995
Military service credit for State employees, provisions altered	397	2351
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870

	Chapter	Page
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
United States Colored Troops Memorial, previous bond funds altered	396	2237
Arrests —		
Court files and records relating to unserved arrest warrants and charging documents, access by Department of Juvenile Services expanded	15	165
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Release of a person after arrest without the filing of a charge, report to Criminal Justice Information System Central Repository, requirement repealed	17	170
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
Art, Music and Cultural Affairs —		
See also Motion Pictures; Museums; Theaters		
African American History and Culture, Commission on, membership and duties, provisions altered	162	736
African American Museum and Cultural Center, bond funds for	396	2190
African American Museum Corporation, appropriation to	395	1991
Allegany County –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
1–day special retail alcoholic beverages license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
American Film Institute Silver Theatre and Cultural Center, bond funds for	396	2175
		2188
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Entertainment facility alcoholic beverages license for use by video lottery facility and entertainment concessionaire		

	Chapter	Page
alcoholic beverages license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general	298	1480
	299	1480
Arts Council, Maryland State, appropriation to	395	1996
Arts Excel – Baltimore Symphony Orchestra, appropriation to	395	1964
Baltimore Museum of Art, bond funds for	396	2162
Black Rock Center for the Arts, previous bond provisions altered	396	2242
Cultural Arts Center in Frederick, bond funds for	396	2174
		2187
Dorchester Center for the Arts, bond funds for	396	2174
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Film Production Rebate Program, appropriation for	395	1847
		1996
		2131
Greenbelt Arts Center, bond funds for	396	2191
Hippodrome Performing Arts Center, appropriation to	395	1844
		2019
Humanities Council, Maryland –		
Appropriation to	395	1965
Appropriations for grant to	395	2105
	397	2353
Imagination Stage, appropriation to	395	1965
Joe's Movement Emporium, bond funds for	396	2179
Maryland Hall for the Creative Arts, bond funds for	396	2163
		2231
		2233
Maryland Zoo in Baltimore –		
Appropriation for grant to	395	1837
		1965
Bond funds for	396	2164
National Aquarium in Baltimore –		
Appropriation to	395	1965
Bond funds for	396	2165
Plumpton Park Zoological Garden, bond funds for	396	2187
Preservation of Cultural Arts Program, appropriation for	395	1996
		2041
Prince George's County –		
Entertainment permits, exemption added for certain alcoholic beverages license holders; other provisions clarified	613	3581
Salisbury Zoological Park –		
Animal Health Clinic –		
Bond funds for	396	2192
Previous bond provisions altered	396	2246
		2247
Appropriation to	395	1965
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public		

	Chapter	Page
festivals or events as well as farmer's markets	437	2643
Tourism, Film and the Arts, Division of, appropriation to	395	1995 2062
Weinberg Center for the Arts, bond funds for	396	2175 2188
Arts Council, Maryland SEE Art, Music and Cultural Affairs		
Assault —		
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456 457	2703 2708
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550 551	3264 3268
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248 249	1115 1125
Assessment Appeal Boards —		
Property Tax Assessment Appeals Boards – Appropriation to	395	1861 2071 2076 2081
Number of alternate members increased for Anne Arundel, Baltimore, Montgomery, and Prince George's counties and Baltimore City	10	153
Assessments —		
Freestanding Nursing Facility Quality Assessment – Maximum aggregate amount, provisions altered	397	2290
Termination date repealed	397	2375
Hospital assessment for savings in averted uncompensated care, comparable assessment for publicly owned specialty hospitals that will be used for Medicaid program, provisions added; amount requirements and report on reduction in hospital uncompensated care, provisions altered	397	2286 2289
Hospital assessments and remittances to support Medicaid program operations, provisions added	397	2381
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1 2	1 40
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Reimbursement of Department of Assessments and Taxation for costs of property valuation and information technology, provisions added	397	2357
Assessments and Taxation, Department of —		

	Chapter	Page
Access to public records in a searchable and analyzable electronic format, provisions added	536	3174
Appropriation to	395	1859
		2024
		2056
		2071
		2072
		2076
		2077
		2081
		2135
		2139
		2140
Reimbursement by counties and Baltimore City for costs of property valuation and information technology, provisions added	397	2357
Special fund for costs of reviewing, processing, and auditing documents, transfer of funds to the General Fund	397	2377
Assisted Living —		
See also Group Homes		
Homecrest House, bond funds for	396	2176
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Assisted Suicide SEE Death		
Associations SEE Cooperative Associations		
Atlantic Coastal Bays SEE Coastal Bays		
Attachments and Garnishments —		
Attachment of wages paid by the State or political subdivision for enforcement of private legal obligations of an individual, deduction and retention of additional $2 by State or political subdivision, provisions added	397	2260
Limited liability companies, operating agreements, rights of assignees, and rights of members' creditors, provisions altered	597	3492
Attorney General —		
Appropriation to; report required on costs incurred by Division of Legal Counsel and Advice to support assistant attorneys general budgeted in other State units	395	1831
		2048
		2053
		2070
		2072
		2073
		2074
		2075
		2076
		2078
		2079
		2080
		2139

	Chapter	Page
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Consumer debt collection cases, amendment of Maryland court rules to strengthen protections for defendants, study and recommendations by Maryland Judiciary and report, provisions added	332	1587
Homeowners associations, disputes between lot owners and governing body over election procedures, submission to Consumer Protection Division of the Office of the Attorney General, provisions added	491	2884
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Attorneys —		
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380
Out–of–state attorneys, fee for special admission to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
Payment of attorney's fees without court approval from an estate to attorney representing estate in litigation under contingency fee agreement, provisions added	80	475
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Prince George's County –		
Orphans' Court judges, qualifications altered	394	1824
Public defender services, determination of eligibility for services without a need assessment for individuals whose assets and net annual income are less than 100% of federal poverty guidelines, provisions added; authority of court to appoint outside counsel, provisions clarified	244	1103

	Chapter	Page
Somerset County –		
Deputy State's Attorney engaging in the private practice of law, prohibition repealed	61	277
Attorneys' Fees —		
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Payment without court approval from an estate to attorney representing estate in litigation under contingency fee agreement, provisions added	80	475
Auctions —		
Dorchester County –		
Tax sales of property, notice requirements and amount of auctioneer's fee allowed as an expense, provisions altered	328	1579
Garrett County –		
Tax sales, auctioneer's fee altered	115	582
Audiologists and Speech Pathologists —		
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Auditors and Audits —		
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Incentives for adoption and use of electronic health records by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Legislative Audits, Office of, appropriation to	395	1827
Local school systems, public libraries, and community colleges, audit to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254

	Chapter	Page
	270	1289
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Auto Wreckers SEE Wreckers and Scrap Processors		
Automobiles SEE Motor Vehicles		
Automotive Dismantler or Recycler SEE Wreckers and Scrap Processors		
Aviation SEE Aircraft		
B		
Background Checks SEE Criminal Background Investigations		
Bad Checks SEE Checks		
Bail —		
Return of forfeited bail bond or collateral to a surety, requirements for, provisions altered	598	3503
Ballots —		
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Baltimore City —		
See also Counties		
Administrative adjustments to certain local zoning ordinance requirements, provisions added	444	2664
Alcoholic beverages, Class C beer, wine and liquor license, issuance in 45th district, provisions added; Sunday sales by Class A retail and Class D beer, wine and liquor licensees, provisions altered	296	1474
Baltimore City Community College, transfer of funds in accounts to the General Fund	397	2377
Convention Center, appropriation to	395	1844 2019
Elections, Board of, membership altered and provisions for filling vacancies altered	429	2571
Grand jury required to carry out an investigation if directed to do so by a judge of the circuit court	234	1072
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; financial disclosure requirements repealed for certain health and housing inspectors	327	1576
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable		

	Chapter	Page
to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Liquor License Commissioners, Board of, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Maryland Zoo in Baltimore, appropriation for grant to	395	1837
		1965
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Property tax assessment appeal board, number of alternate members increased	10	153
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
School Commissioners, Board of, annual report requirement repealed	319	1553
School construction bonds issued by Board of School Commissioners, maximum maturity date increased; report required on long–term plan for alignment of school facilities with projected enrollments and educational programs	583	3434
State Bonds –		
American Visionary Art Museum	396	2183
THE ASSOCIATED: Jewish Community Federation of Baltimore, community development building and other buildings in Park Heights, previous bond provisions altered	396	2234
Baltimore City Community College, Main Building Administration Wing, Liberty Campus	396	2158
		2219
Baltimore City Detention Center	396	2155
Baltimore International College, previous bond provisions altered	396	2205
Baltimore Museum of Art	396	2162
Carroll Mansion Museum, previous bond provisions altered	396	2229
Dayspring Square facility	396	2184
Delta Lambda Foundation Head Start facility	396	2184
Dr. Bob's Place, a hospice for children	396	2170
Doctor Christina Phillips Community Center	396	2184
East Baltimore Biotechnology Park	396	2162
East Baltimore Community Recreation and Learning Center, previous bond provisions altered to change purpose to be for preparing property for future development opportunities	396	2226
		2231
Forensic Medical Center, previous bond provisions altered	396	2203
Garrett–Jacobs Mansion, performance hall	396	2170
Glen Avenue Firehouse, previous bond provisions altered	396	2209
Habitat for Humanity of the Chesapeake, homes in Baltimore City	396	2184
Historic Diamond Press Building	396	2184
Homeless youth facilities	396	2170
In Our House Homeless Youth Center	396	2185
Johns Hopkins Medicine, Cardiovascular and Critical Care Tower	396	2162

	Chapter	Page
Johns Hopkins University, Brody Learning Commons on the Homewood Campus	396	2163
Junior League of Baltimore Thrift Store's Community Space	396	2171 2185
Kennedy Krieger Institute, Comprehensive Autism Center	396	2163
Mary Harvin Transformation Center	396	2171
Maryland Center of Veterans Education and Training	396	2171
Maryland Food Bank	396	2168 2182
Maryland General Hospital	396	2167
Maryland Historical Society	396	2168
Maryland Institute College of Art, Studio Center	396	2163
Maryland Institute for Emergency Medical Services Systems, communications systems	396	2150
Maryland School for the Blind	396	2165 2220
Maryland State Welcome Center at the Baltimore Inner Harbor, previous bond provisions altered	396	2195
Maryland Zoo in Baltimore	396	2164
Mattie B. Uzzle Outreach Center	396	2171 2185
Mercy Medical Center	396	2167
Morgan Mill Facility	396	2171
Morgan State University –		
Athletic fields and softball facilities, previous bond provisions altered	396	2201 2202
Banneker Hall, previous bond provisions altered	396	2202 2208
Campuswide utilities upgrade, previous bond funds altered	396	2205
Center for the Built Environment and Infrastructure Studies	396	2159
Jenkins Behavioral and Social Sciences Center	396	2159
Lillie Carroll Jackson Museum renovation	396	2159
Montebello Complex E–Wing, Old Power Plant, Morgue, and Northwood Shopping Center demolition, previous bond provisions altered	396	2200 2205
School of Business Complex	396	2159
Mount Vernon Place Conservancy, for Washington Monument and historic masonry renovation	396	2185
National Aquarium in Baltimore	396	2165
Park Heights Women and Children Center	396	2172
Parks and People Headquarters at Auchentoroly Terrace	396	2185
Port Discovery, previous bond provisions altered	396	2238 2240
The Powerhouse, previous bond provisions altered	396	2232
Roland Park Fire Station rehabilitation, previous bond provisions altered	396	2241
St. Elizabeth School, roof	396	2172 2186
St. Francis Xavier Head Start facility	396	2172
Sinai Hospital	396	2165

	Chapter	Page
Sojourner–Douglass College, previous bond provisions altered	396	2199
Stadium Place, previous bond provisions altered	396	2244 2246
Star–Spangled Banner Flag House	396	2172
State Office Building #3, previous bond provisions altered	396	2203
Therapeutic pool for people with disabilities, previous bond provisions altered	396	2238 2241
Town Theatre	396	2172
University of Baltimore, Law School Building	396	2157
University of Baltimore, Law School Building, previous bond provisions altered	396	2212
University of Maryland at Baltimore, Health Sciences Research Facility III	396	2155
University of Maryland Medical System, trauma, critical care, and emergency medicine services expansion project	396	2159
Youth Detention Facility	396	2218 2222
Youth Detention Facility, previous bond provisions altered	396	2208 2211 2214
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added	182 183	851 852
Baltimore County —		
Alcoholic Beverages –		
License extension if licensed premises is forced to close because of a casualty loss, provisions added	313	1538
License fees altered	302	1491
Board of Education –		
Development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Task Force on the Membership and Operation of the Baltimore County Board of Education, established; report required	459 460	2715 2718
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226 227	1049 1050
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Property tax assessment appeal board, number of alternate members increased	10	153
Public school employee collective bargaining unit for administrative and supervisory certificated and		

	Chapter	Page
noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473 474	2762 2767
State Bonds –		
THE ASSOCIATED: Jewish Community Federation of Baltimore, community development building and other buildings in Park Heights, previous bond provisions altered	396	2234
Augsburg Lutheran Home of Maryland	396	2173 2186
Career Development Center	396	2186
Comet Booster Club Concession Stand	396	2186
Community College of Baltimore County, Owings Mills Center	396	2219
District Court facility in Catonsville	396	2148
Good Shepherd Center, student courtyard renovation	396	2173
HopeWell Cancer Support Facility, previous bond provisions altered	396	2245 2247
Jewish Community Services Facility	396	2173
Liberty Road Corridor infrastructure improvements	396	2165
Little Sisters of the Poor, boiler room	396	2168 2182
Milford Mill Academy sign, previous bond provisions altered	396	2209
North County Park, previous bond provisions altered	396	2210
Randallstown High School dark room, previous bond provisions altered	396	2210
Stevenson University, previous bond provisions altered	396	2244
Todd's Inheritance	396	2173
Towson University, campuswide safety and circulation improvements	396	2157
United Cerebral Palsy adult daycare facility	396	2186
University of Maryland, Baltimore County –		
Performing arts and humanities facility	396	2157 2219 2222
Performing arts and humanities facility, previous bond provisions altered	396	2208 2212
Woodlawn High School, previous bond provisions altered	396	2210
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Winery special event permits for use at certain Baltimore County farmers' markets by a Class 4 Maryland limited winery, provisions added	331	1585
Baltimore Metropolitan Council —		
Participation in the State Employee and Retiree Health and Welfare Benefits Program by employees or retirees, provisions altered	591	3474

	Chapter	Page
Baltimore Metropolitan Transit District SEE Mass Transit		
Baltimore Regional Council of Governments SEE Baltimore Metropolitan Council		
Baltimore–Washington International Thurgood Marshall Airport SEE Airports		
Bankruptcy —		
Homestead exemption in bankruptcy proceedings, expanded to include debtor's aggregate interest in a cooperative housing corporation that owns property that the debtor occupies as a residence and clarified to include owner–occupied condominium unit	32	210
Banks and Trust Companies —		
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Banking Board, abolished	332	1587
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Base Realignment and Closure SEE Armed Forces		
Battered Spouses SEE Domestic Violence		
Bed and Breakfast Establishments SEE Hotels and Motels		
Beer and Malt Beverages SEE Alcoholic Beverages		
Beverage Containers —		
Bisphenol–A, containers of infant formula that contain a certain amount of, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Bicycles —		
Bicycle and Pedestrian Advisory Committee, location and frequency of meetings, provisions altered	40	234
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213	963
	214	967
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Billboards SEE Signs and Billboards		
Bingo —		

	Chapter	Page
Electronic bingo and tip jar machines, impact grants to Anne Arundel County and Calvert County, provisions added	397	2353
Biotechnology SEE Industry and Technology		
Birth Certificates SEE Vital Records		
Birth Control —		
Family planning services under the Medical Assistance Program, eligibility requirements altered	537	3180
	538	3184
Blind Persons —		
Blind Industries and Services of Maryland, appropriation to	395	1964
Maryland School for the Blind –		
Appropriation to	395	1964
Bond funds for	396	2165
		2220
Rehabilitation Services, Division of, appropriation to	395	1958
		2038
Blood Donation SEE Organ Donorship		
Blood Tests SEE Chemical Tests		
Blue Laws —		
Baltimore City –		
Class C beer, wine and liquor license, issuance in 45th district, provisions added; Sunday sales by Class A retail and Class D beer, wine and liquor licensees, provisions altered	296	1474
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added	182	851
	183	852
Carroll County –		
Deer hunting on private property on certain Sundays, restrictions altered	237	1077
Cecil County –		
Sunday sales hours for specified alcoholic beverages licensees, extended; exemption from paying additional fee to allow Sunday sales extended to Class EF and C licensees	151	708
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Dorchester County –		
Residency requirement for voters who sign a certificate to support an alcoholic beverages license application, repealed; prohibition against Class B or C licensees selling alcoholic beverages at a bar or counter on Sunday, repealed	370	1743
Junior deer hunt, establishment required	120	600
Boards SEE Committees and Commissions		
Boats and Ships —		
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807

	Chapter	Page
Boating Services, appropriation for	395	1892
Chesapeake Bay Maritime Museum, bond funds for bulkhead replacement	396	2181
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Pilotage, vessel draft lengths for categories of limited licenses, provisions altered	443	2663
State Boat Act Fund, transfer of funds to the General Fund	397	2378
Sultana Projects, appropriation to	395	1965
Waterway Improvement Fund, bond funds for	396	2153
Boilers and Pressure Vessels —		
Inspection agency insurance requirements that must be satisfied before employee may be issued a special inspector commission, regulations required	608	3556
Bonds —		
See also County and Baltimore City Bonds; State Bonds		
Bail bonds, requirements for return of forfeited bond or collateral to a surety, provisions altered	598	3503
Baltimore City –		
School construction bonds issued by Board of School Commissioners, maximum maturity date increased; report required on long–term plan for alignment of school facilities with projected enrollments and educational programs	583	3434
Consolidated transportation bonds and nontraditional debt, limitations and report, provisions added	395	1879
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Program Open Space bond debt service payments, appropriation for	395	2046
University System of Maryland, academic facilities bonding authority expanded; bond sale approved for new performing arts and humanities facility at University of Maryland, Baltimore County and system–wide capital facilities renewal		

	Chapter	Page
projects	357	1694
Boundaries —		
Electioneering boundaries at polling places in Carroll and Montgomery counties, provisions altered	344	1633
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Property markers, penalty increased for willfully obliterating, damaging, or removing	33	214
	34	215
BRAC SEE Armed Forces		
Breath Tests SEE Chemical Tests		
Bribery —		
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or State law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Bridges and Tunnels —		
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Brokers SEE Agents and Brokers		
Budget and Management, Department of —		
Agreements between State agencies and any public institution of higher education involving expenditures in excess of $100,000, reports required	395	2085
Appropriation to	395	1862
		2056
		2071
		2072
		2074
		2076
		2077
		2079
		2081
		2139
		2140
Authorized State positions, determination and amendment of number and classes of, or person years of employment, provisions added	395	2047
Budget amendments for appropriations that could be included in a deficiency appropriation, policies and procedures to		

	Chapter	Page
minimize reliance on, requirements added	395	2086
Central Collection Fund, transfer of funds to the General Fund	397	2377
Certification of and report on status of State employee positions created with non–State funding sources, requirements added	395	2089
Chesapeake Bay restoration expenditures and funding, reports and budget book requirements added	395	2093
Executive Pay Plan positions, quarterly reports required	395	2088
Federal revenues supporting federal fund appropriations, statement in executive budget books and supply of background data to Department of Legislative Services, requirements added	395	2082
Full–time equivalent positions, determination of total number authorized at end of fiscal 2011 and beginning of fiscal 2012, and report on creation, abolishment or transfer of regular and contractual positions, required	395	2090
Grants and loans made by the Maryland State Firemen's Association to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Indirect costs, annual report required	395	2083
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Organizational chart of each administrative agency that depicts the allocation of personnel across operational and administrative activities, Budget and Management Department required to provide to Legislative Services Department	395	2084
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
State employee merit increases, restrictions added; reports required regarding policies for designating operationally critical staff, staff identified as critical, and merit increases awarded as a consequence of this designation	397	2385
State Retirement and Pension Systems, biennial report required on the financial health of the several systems	397	2388
Strategic Energy Investment Fund, annual report and budget book requirements added	395	2093
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered	617	3599
Budgets —		
See also Appropriations; Capital Budgets		
Amendments to increase special, federal, or higher education fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Control and Prevention or the Emergency Management Agency, restrictions added	395	2086
Baltimore City –		

	Chapter	Page
Board of School Commissioners, annual report requirement repealed	319	1553
Board of education of each county, budget request for funding from local revenues, provisions altered	397	2267
Budget amendments for appropriations that could be included in a deficiency appropriation, policies and procedures to minimize reliance on, requirements added	395	2086
Budget Analysis, Office of, appropriation to	395	1864 2056
Budget bill, Governor required to include additional information regarding State's contribution to each retirement and pension system in order to reflect the impact of legislation increasing employee contributions and reducing the liabilities of the State Retirement and Pension System	397	2386
Budget for fiscal year 2012	395	1826
Budget Reconciliation and Financing Act of 2011	397	2248
Chesapeake Bay restoration expenditures and funding, reports and budget book requirements added	395	2093
Detail by "Statewide Subobject" classification, and other budget data requirements, provisions added	395	2084
Federal revenues supporting federal fund appropriations, statement in executive budget books and supply of background data to Department of Legislative Services, requirements added	395	2082
Forecast of impact of budget on long–term fiscal conditions of General Fund, Transportation Trust Fund, and higher education current unrestricted fund accounts, required	395	2084
Full–time equivalent State employee position counts of contractual positions, report in budget books, requirements added	395	2084
State employees' and retirees' health plan, appendix to the budget books required to provide an accounting of associated revenues and expenditures	395	2090
Supplemental Budget No. 1	395	2099
Building Codes —		
Appropriation for	395	1988
International Green Construction Code, adoption by Department of Housing and Community Development regulation authorized; adoption and amendment by local jurisdictions authorized	369	1739
Building Permits —		
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Buildings SEE Public Buildings and Facilities		
Bullying SEE Harassment		
Buses —		
See also School Buses		

	Chapter	Page
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Motor vehicle weight and axle load limits, provisions altered	100	533
Public transit service vehicles, authorization to be equipped with and display certain flashing lights, provisions added	101	536
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
Business SEE Commerce and Business; Electronic Commerce		
Business and Economic Development, Department of —		
Appropriation to	395	1992 2062 2071 2073 2074 2076 2077 2078 2079 2081 2139 2140
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Spring Grove Hospital Center redevelopment plan, appropriation for; report required	395	1912

C

Calvert County —		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Electronic bingo and tip jar machines, impact grants to Anne Arundel County and Calvert County, provisions added	397	2353
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and		

	Chapter	Page
pawnbrokers	110	558
Public facilities bonds, authorized	150	704
Southern Maryland Higher Education Council, established; reports required	622	3610
State Bonds –		
Exploration of Captain John Smith Exhibit, previous bond provisions altered	396	2239
Jefferson Patterson Park and Museum	396	2151
Kellam's Field, previous bond provisions altered	396	2209
North Beach Public Works Building	396	2173
Campaign Financing —		
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Independent expenditures and electioneering communications, reporting requirements added	575	3388
Online campaign finance reporting system, funding from Fair Campaign Financing Fund, provisions altered	397	2376
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Camps —		
Camp Conowingo, bond funds for	396	2186
Camp Fairlee Manor, bond funds for	396	2182
Campground that provides certain utility services to campers that are incident to its primary business, excluded from definition of public service company	621	3609
Lions Camp Merrick, previous bond provisions altered	396	2236
Super Kids Camp, appropriation to	395	1965
Cancer SEE Diseases		
Candidates SEE Political Candidates		
Capital Budgets —		
Consolidated Capital Bond Loan of 2011	396	2142
Consolidated Capital Bond Loan Preauthorization Act of 2012	396	2217
Consolidated Capital Bond Loan Preauthorization Act of 2013	396	2221
Consolidated Capital Bond Loan Preauthorization Act of 2014	396	2223
Office of Capital Budgeting, appropriation to	395	1864
		2057
Previous years' capital budgets and bond bills, amended	396	2195
St. Mary's County –		
Metropolitan Commission appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732

	Chapter	Page
Carnivals SEE Amusement Parks and Carnivals		
Caroline County —		
Alcoholic beverages, Class BWTS beer and wine (on–premises) tasting or sampling license, number of times per year allowed to be granted to a person, increased; hours of sale for various licenses and alcohol awareness program, provisions altered...	420	2539
Board of Elections, membership, compensation, and filling of vacancies, provisions altered	305	1508
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
Carroll County —		
Alcoholic Beverages –		
Liquor tasting license created	329	1581
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
County Commissioners, term of office, term limits, and filling vacancies in office, provisions added	594	3487
Deer hunting on private property on certain Sundays, restrictions altered	237	1077
Electioneering boundaries at polling places, provisions altered ...	344	1633
Fortune-telling prohibition, provisions repealed	147	687
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Public facilities bonds, authorized	117	587
State Bonds –		
Public Safety Training Center, previous bond provisions altered	396	2198
Cars SEE Motor Vehicles		
Casinos SEE Gaming		
Cecil County —		
Alcoholic beverages, Sunday sales hours for specified alcoholic beverages licensees, extended; exemption from paying additional fee to allow Sunday sales extended to Class EF and C licensees	151	708
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Correctional officers' bill of rights, definition of "correctional officer" altered	128	628
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
State Bonds –		

	Chapter	Page
Camp Conowingo	396	2186
Detention Center	396	2192
Plumpton Park Zoological Garden	396	2187
Cemeteries —		
See also Funerals		
Garrison Forest Veterans Cemetery, appropriation for	395	2106
Picketing activities at a funeral, burial, memorial service, or funeral procession, distance increased within which activities prohibited	570	3377
Veterans Cemetery Program, appropriation to	395	1849
		2106
Central Committees SEE Political Committees		
Certificates of Need SEE Health Planning and Cost Review		
Certification SEE Licenses		
Certified Public Accountants SEE Accountants		
Charge Accounts SEE Credit		
Charitable Organizations SEE Nonprofit Organizations		
Charles County —		
Alcoholic beverages, Class B–Stadium (baseball stadium) on–sale beer, wine and liquor license, converted from Class B–Stadium (baseball stadium) beer and light wine license; carry and consumption restrictions altered	388	1803
Board of Elections, membership altered and provisions for filling vacancies altered	350	1658
	429	2571
Southern Maryland Higher Education Council, established; reports required	622	3610
State Bonds –		
Bel Alton High School Community Development Center	396	2173
Greater Baden Medical Services Facility	396	2174
Lions Camp Merrick, previous bond provisions altered	396	2236
Maryland Veterans Memorial Museum	396	2187
Charter Schools SEE Public Schools		
Charters —		
Anne Arundel County –		
Property tax credit for certain real property leased to public charter schools, provisions added	95	522
Charter Unit, appropriation to	395	1860
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Charts SEE Maps and Charts		
Checks —		
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Chemical Tests —		
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315

	Chapter	Page
Chesapeake Bay —		
Bay Restoration Fund –		
Appropriation for debt service	395	2001
		2041
Capital appropriation for septic systems	395	1998
Transfer of funds to the General Fund	397	2379
Use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, transfer of funds to the General Fund	397	2377
Chesapeake Bay Foundation, appropriation to	395	1964
Chesapeake Bay Maritime Museum –		
Appropriation to	395	1964
Bond funds for bulkhead replacement	396	2181
Motor fuel tax revenue, apportionment to the Chesapeake Bay 2010 Trust Fund and the General Fund, provisions altered	397	2354
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Restoration expenditures and funding, reports and budget book requirements added	395	2093
Short–term vehicle rental sales and use tax, apportionment to the Chesapeake Bay 2010 Trust Fund and the General Fund, provisions altered	397	2355
		2389
Water Quality Project Funds, bond funds for nutrient removal at publicly owned sewage treatment works and local share of sewage plant construction costs	396	2161
Child Abuse and Neglect —		
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Child neglect, misdemeanor crime established	398	2391
	399	2399
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Child Care —		
Judith P. Hoyer Early Child Care and Education Enhancement Program, annual report required to include additional information on participating agencies and programs and other information; report deadline altered	421	2545
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Residential child and youth care practitioner certification,		

	Chapter	Page
establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Subsidy Program, appropriation for	395	1964
		2126
Tax credits for employers who hire certain qualifying individuals with disabilities, provisions altered and termination date extended	558	3329
Unregistered family day care providers, obsolete amnesty provisions repealed	206	941
Child Support SEE Support of Dependents		
Children SEE Minors		
Children, Governor's Office for —		
Appropriation to	395	1842
		2018
		2054
		2071
		2075
		2080
		2105
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Children in Need of Assistance SEE Child Abuse and Neglect; Foster Care; Social Services		
Children in Need of Supervision SEE Juvenile Causes		
China SEE International Affairs		
Churches SEE Religion		
Cigarettes —		
Unpackaged cigarettes, sale or distribution prohibited	22	180
Circuit Courts —		
Baltimore City –		
Grand jury required to carry out an investigation if directed to do so by a judge of the circuit court	234	1072
Family Law Division, appropriation to	395	1830
Judges, appropriation to	395	1829
		2048
Real Property Records Improvement Fund, transfer of funds to the General Fund	397	2377
Talbot County –		
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251
Workers' Compensation Commission decision, venue for filing an appeal with the circuit court, provisions altered	256	1179
	257	1180
Citations —		
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749

	Chapter	Page
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Oysters, illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427	2567
	428	2569
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Citizenship SEE Aliens and Citizenship		
Civil Actions —		
Action against person who had applicable insurance coverage at time of alleged liability, certification that is required before defendant's insurer must disclose defendant's last known address to plaintiff, provisions altered	184	854
Attorney fees, payment without court approval from an estate to attorney representing estate in litigation under contingency fee agreement, provisions added	80	475
Civil Litigation Division of the Office of the Attorney General, appropriation to	395	1834
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Consumer debt collection cases, amendment of Maryland court rules to strengthen protections for defendants, study and recommendations by Maryland Judiciary and report, provisions added	332	1587
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added	352	1661
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Invasive Plants Advisory Committee established; invasive plant		

	Chapter	Page
restrictions, regulations, and enforcement provisions added ..	142	661
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified.....	127	619
Personal injury award or settlement, withholding of portion of award or settlement to pay child support arrearage, provisions added.....	603	3535
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added.....	264	1214
	265	1221
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Civil Defense SEE Emergencies		
Civil Rights SEE Discrimination		
Clams —		
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701
Class Actions SEE Civil Actions		
Classified Employees SEE State Employees		
Clerks of Court —		
Appropriation for.....	395	1830
		2048
Clinics —		
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added.....	242	1096
	243	1100
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements		

	Chapter	Page
added	587	3443
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Cloning SEE Medical Research		
Coal SEE Mining		
Coastal Bays —		
Bay Restoration Fund Septics Account, use for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, transfer of funds to the General Fund	397	2377
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Codes SEE Annotated Code of Maryland; Building Codes		
Collection Agencies SEE Debt Collection		
Collective Bargaining —		
Baltimore City –		
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Baltimore County –		
Public school employee collective bargaining unit for administrative and supervisory certificated and noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473	2762
	474	2767
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Memorandum of understanding negotiated between the State and an exclusive representative that is ratified between January 1 and June 1, 2011, declared to be in compliance with certain collective bargaining process requirements	397	2390
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Colleges SEE Community Colleges; Higher Education; State Universities and Colleges		
Commerce and Business —		
See also Dealers; Electronic Commerce; Foreign Trade; Small Business		
Annapolis Market House, bond funds for	396	2183
Baltimore City –		
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added	182	851
	183	852

	Chapter	Page
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Business and Enterprise Development, Division of, appropriation to	395	1993
		2062
Carroll County –		
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale and distribution prohibited	578	3405
Cigarettes, sale or distribution of unpackaged cigarettes prohibited	22	180
Commercial dishwashing detergents that contain more than a certain amount of phosphorus, prohibition on use, sale, manufacture, or distribution, provisions altered	447	2675
	448	2676
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Cumberland City Market, bond funds for	396	2168
		2183
Decabrominated diphenyl ether, prohibition on manufacturing, leasing, selling, or distributing certain products that contain, provisions altered and exemption added for aircraft and aircraft parts	197	886
	198	888
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
East County Center for Science and Technology Incubator, previous bond provisions altered	396	2199
Economic Development Assistance Authority Fund, appropriation for	395	1995
Electronically printed payment device receipts that are provided to merchants and purchasers, information that may be printed on, restrictions added	595	3489
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Enterprise Investment Fund and Challenge Programs, appropriation to	395	1994

	Chapter	Page
Farmers' markets in Baltimore County, issuance of winery special event permits to a Class 4 Maryland limited winery for use at, provisions added	331	1585
Farmers' markets in Frederick County, issuance of winery special event permits to a Class 4 Maryland limited winery for use at, provisions added	294	1461
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Howard County –		
Hotel room rental sales and use tax, maximum authorized rate increased; allocation of revenue, provisions altered	139	657
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Marketing and Communications, Division of, appropriation to	395	1993
		2062
Maryland Consumer Protection Act expanded to include unfair or deceptive trade practices by a merchant in connection with the purchase of consumer goods or consumer realty from a consumer if the merchant's business includes paying off consumer debt in connection with the purchase	416	2532
	417	2534
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded	625	3619
Poole's Store, bond funds for	396	2178
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
Semiannual property tax payment schedule for business		

	Chapter	Page
property, eligibility provisions altered	593	3483
Smart Growth Economic Development Infrastructure Fund, previous bond provisions altered	396	2196
Smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing, sale and installation requirements altered; Fire Marshal approval and fee requirements repealed	143	671
Commercial Paper SEE Checks		
Commercial Rehabilitation —		
Historic Diamond Press Building, bond funds for	396	2184
Neighborhood Business Development Program, bond funds for grants and loans to fund community–based economic development activities in revitalization areas	396	2159
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Prince George's County –		
Municipal corporations authorized to establish revitalization districts and grant property tax credit against municipal property tax on property in districts	476	2773
Sustainable Communities Tax Credit Program –		
Eligibility of commercial rehabilitations for which proposed rehabilitation work has begun, provisions altered	133	638
Maximum fee for administrative costs, provisions altered; reserve fund use to pay administrative costs if fees are inadequate; special provisions for high performance buildings and qualified rehabilitated structures, applicable only to commercial rehabilitations	383	1777
Commissions SEE Committees and Commissions		
Committees and Commissions —		
See also Political Committees		
African American History and Culture, Commission on, membership and duties, provisions altered	162	736
Agricultural Commission, appropriation to	395	1896
Agricultural Fair Board, appropriation to	395	1898
Amusement Ride Safety Advisory Board, State, membership provisions altered	99	531
Aquaculture Coordinating Council, transferred to Department of Natural Resources	411	2480
Aquaculture Review Board, transferred to Department of Natural Resources and membership altered	411	2480
Architects, State Board of –		
Issuance of retired status license to certain licensed architects, provisions added	50	253
Termination date of statutory provisions and regulations extended; evaluation required; report required regarding the sufficiency of the balance in the State Occupational and Professional Licensing Design Boards' Fund	316	1547
Arts Council, Maryland State, appropriation to	395	1996
Baltimore City –		
Civilian Review Board members and employees, Health Department employees and officials, Police Commissioner, and Police Department civilian employees		

	Chapter	Page
and police officers, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Baltimore County Board of Education, Task Force on the Membership and Operation of the, established; report required	459	2715
	460	2718
Banking Board, abolished	332	1587
Bicycle and Pedestrian Advisory Committee, location and frequency of meetings, provisions altered	40	234
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Citizen's Review Board for Children, appropriation to	395	1927
Civil Rights, Maryland Commission on, name changed from Maryland Commission on Human Relations	580	3415
Collection Agency Licensing Board, State –		
Report concerning amendment of Maryland court rules to strengthen protections for defendants in consumer debt collection cases, provisions added	332	1587
Termination date of statutory provisions and regulations extended; evaluation required	332	1587
Community Health Resources Commission –		
Appropriation to	395	1926
Assistance to community health resources in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Subsidy by nonprofit health insurance plans that are exempt from premium tax, provisions added	397	2291
Community Services Reimbursement Rate Commission, termination date extended	94	521
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Contract Appeals, State Board of, appropriation to	395	1845
		2020
		2048
		2071
		2076
		2080
Coordinating Council for Children, State, membership and duties altered; composition of Local Management Boards altered; provisions for local coordinating councils repealed and local care team provisions added	604	3537
Correctional Standards, Commission on, appropriation to	395	1953
Correctional Training Commission, appropriation to	395	1952
		2122
Criminal Injuries Compensation Board, appropriation to	395	1953
Criminal Sentencing Policy, State Commission on,		

	Chapter	Page
appropriations to	395	1841
Critical Area Commission, appropriation to	395	1892
		2058
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Dental Examiners, State Board of –		
Regulations relating to authorization of dental hygienists to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electric Vehicle Infrastructure Council, Maryland, established; reports required	400	2407
	401	2410
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Emergency Medical Services Board, licensing, certification, and regulation of emergency medical services providers, provisions altered; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Ethics Commission, appropriation to	395	1841
		2017
Fire Prevention Commission, appropriation to	395	2013
General Assembly Salary Commission, report required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Governor's P–20 Leadership Council of Maryland, membership altered	277	1350
Governor's Salary Commission, report required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Governor's Workforce Investment Board –		
Appropriation to	395	1933
		2117
Provision of staff for the Task Force on Funding a Green Technology, Life Science, and Health Information		

	Chapter	Page
Technology Loan Assistance Repayment Program, requirements added	360	1701
Study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226	1049
	227	1050
Health Care Access and Cost Commission, appropriation for	395	2059
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Health professionals boards and commissions, appropriation for	395	1904
		2111
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Hereditary and Congenital Disorders, State Advisory Council on, study and report with recommendations for implementing newborn screening for critical congenital heart disease, required	552	3271
	553	3275
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Historic St. Mary's City Commission, appropriation to	395	1842
		2071
		2072
		2075
		2077
		2080
Home Improvement Commission, Maryland, and Maryland Mold Remediation Services Act, termination dates extended; evaluations and Commission report required	333	1596
Horse Industry Board, appropriation to	395	1897
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
Humanities Council, Maryland –		
Appropriation to	395	1965
Appropriations for grant to	395	2105
	397	2353
Immigrants in Maryland, Commission to Study the Impact of, termination date extended and report deadline altered	174	829

	Chapter	Page
	175	832
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Instructional Materials Access Guidelines Committee, membership altered	277	1350
Invasive Plants Advisory Committee established; reports required	142	661
Judicial Compensation Commission, report required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Labor Relations Board –		
Appropriation to	395	1842
		2018
Collective bargaining rights for certain independent home care providers, provisions added	171	801
Landscape Architects, State Board of Examiners of, educational and experience requirements for applicants seeking to take the licensing examination, provisions altered	212	960
Lottery Commission, State –		
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added; regulations required	232	1068
	233	1070
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland Venture Fund Authority and Invest Maryland Program established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Mid–Shore Regional Council, appropriation to	395	1995
Minority Business Enterprise Program and Equity Investment Capital, Task Force on the, termination date and report deadline extended	254	1168

	Chapter	Page
Nursing Home Administrators, State Board of Examiners of, termination date of statutory provisions and regulations, extended; membership altered; evaluation and report required	24	184
Nursing, State Board of –		
Appropriation to	395	1905
Approval of examination and clinical examination that is required for licensure of electrologists, provisions added; term of electrologist license extended	107	551
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Report required on online program for processing medication technician certification applications and analysis of Board staffing	123	610
Parole Commission –		
Appropriation to	395	1950 2050
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered	623	3613
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added	361	1706
Risk assessment tools used for parole guidelines and number of times a parole commissioner overrides a decision derived from a risk assessment tool, report required	395	1950
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Perfusion Advisory Committee, established within State Board of Physicians; regulation of licensing and practice of perfusion, provisions added	588	3449
Pharmacy, State Board of –		
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559 560	3332 3334
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546 547	3238 3245
Physical Therapy Examiners, State Board of, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441 442	2654 2659
Physicians, State Board of –		
Appropriation to	395	1905

	Chapter	Page
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within Board of Physicians	588	3449
Polysomnographic technologists, deadline extended for licensure of polysomnographic technologists and for fulfillment of requirements for waiver of education requirement for licensure	267	1230
	268	1242
Pilots, Board of, vessel draft lengths for categories of limited licenses, provisions altered	443	2663
Podiatric Medical Examiners, State Board of –		
Termination date of statutory provisions and regulations extended; evaluation required; report required from Board	419	2537
Unannounced inspections of offices of certain podiatrists against whom a complaint has been filed regarding violation of guidelines on universal precautions, requirements added	180	849
	181	850
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Professional Counselors and Therapists, State Board of, authorization of home study courses towards completion of continuing education requirements, prohibition repealed	480	2786
	481	2787
Professional Engineers, State Board for –		
Membership altered	278	1370
	279	1373
Requirement repealed that licensing examinations be 8 hours long and written	210	955
Termination date of statutory provisions and regulations extended; evaluation and Board report required	317	1548
Psychologists, State Board of Examiners of, termination date of statutory provisions and regulations extended; evaluation required; reports required	574	3385
Public Accountancy, State Board of –		
Educational requirements for examination and licensure, provisions altered	208	947
Regulations specifying language of disclosure statement relating to exemption from peer review that is required under certain circumstances, adoption required	228	1051
	229	1057

	Chapter	Page
Racing Commission, appropriation to	395	1936
Real Estate Appraisers and Home Inspectors, State Commission of –		
Adoption of regulations to require for home inspector license renewal continuing professional competency that is demonstrated by certain educational hours, requirements added	186	859
Membership altered; Fund and appraisal management company hearing board established; registration and regulation of real estate appraisal management companies, provisions added	269	1254
	270	1289
Real Estate Commission, reinstatement of expired licenses, reactivation of licenses placed on inactive status, and continuing education requirements for license renewal, provisions altered	207	943
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
St. Mary's County –		
Metropolitan Commission –		
Appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732
Commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
School Construction, Interagency Committee for, appropriation to	395	1842
		2054
		2071
		2075
		2080
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Seafood Marketing Advisory Commission, transferred to Department of Natural Resources	411	2480
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
Southern Maryland Higher Education Council, established; reports required	622	3610
Spay/Neuter Fund, Task Force on the Establishment of a Statewide, established; report required	266	1228
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual		

	Chapter	Page
harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Survey Commissions, appropriation to	395	1840
Thoroughbred Racing Sustainability Task Force, established; report required	412	2497
Tourism Development Board, appropriation to	395	1996
		2041
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Unemployment insurance, passage by Board of Appeals of an order in accordance with the final decision in a judicial review proceeding for an appeal, requirement repealed	12	160
Upper Shore Regional Council, appropriation to	395	1995
Vehicle Theft Prevention Council, appropriation to	395	2013
Veterans Commission, Maryland, membership altered	211	958
Veterinary Medical Examiners, State Board of –		
Appropriation to	395	1897
Authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Video Lottery Facility Location Commission, Allegany County video lottery facility operation and licensing, provisions altered	240	1083
Washington Metropolitan Area Transit Commission, appropriation to	395	1835
Women, Commission for, appropriation to	395	1927
Workers' Compensation Benefit and Insurance Oversight, Joint Committee on, membership provisions altered	5	138
Workers' Compensation Commission –		
Appropriation to	395	1836
		2048
		2072
		2077
		2140
Death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Retention of jurisdiction pending appeal of workers' compensation order to consider a proposed settlement of a claim, provisions added	45	244
	46	246
Venue for filing an appeal with the circuit court on a decision by the Workers' Compensation Commission, provisions altered	256	1179
	257	1180
Communications —		
See also Telecommunications		

	Chapter	Page
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Public safety communications system, bond funds for	396	2151
Community Associations SEE Homeowners Associations		
Community Colleges —		
Administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency, payment of pro rata share of, provisions added	397	2387
Agreements between State agencies and any public institution of higher education involving expenditures in excess of $100,000, reports required	395	2085
Anne Arundel Community College Library, previous bond provisions altered	396	2213
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Baltimore City Community College –		
Appropriation for	395	1978 1983 2075 2079 2080 2082 2128
Bond funds for Main Building Administration Wing, Liberty Campus	396	2158 2219
Degree or certificate program creation, elimination, or combination, report required	395	1979 1984
Per–student State funding, calculation altered	397	2271
Transfer of funds in accounts to the General Fund	397	2377
College of Southern Maryland –		
La Plata, BU/CE Buildings, bond funds for	396	2219
Phase II campus development, previous bond provisions altered	396	2213
Community College Facilities Grant Program, bond funds for local and regional community college property acquisition, buildings, site improvements, and facilities	396	2158 2212 2219
Community College of Baltimore County, bond funds for Owings Mills Center	396	2219
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Governor's Workforce Investment Board, study and development of education and training programs for unemployed State residents, including recommendations regarding an		

	Chapter	Page
individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Hagerstown Community College Arts and Science Complex, previous bond provisions altered	396	2212
Harford Community College, Susquehanna Center –		
Bond funds for	396	2219
Previous bond provisions altered	396	2213
Howard Community College Allied Health Building, previous bond provisions altered	396	2212
Montgomery College, bond funds for Rockville Science East	396	2219
Prince George's Community College –		
Center for Health Studies, previous bond provisions altered	396	2212
Circulation/roadway modifications, previous bond provisions altered	396	2212
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
The Senator John A. Cade funding formula for the distribution of funds to community colleges, appropriation for	395	1973 2040
State Aid –		
Fringe benefits, appropriation for	395	1973 2081
Per–student State funding, calculation altered	397	2271
Supplemental retirement plans established by State universities and colleges or the Higher Education Commission for employees and community colleges, methods for making employee contributions to accounts, provisions altered	337	1614
Tuition –		
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Reimbursement of certain student out–of–county fees by Higher Education Commission to community college and by community college to certain students, provisions altered	397	2273
Tuition and mandatory fee waivers for foster care recipients enrolled at public institutions of higher education, eligibility age requirements altered	159	730
Waiver for disabled individuals, provisions altered	576	3400
Community Development —		
THE ASSOCIATED: Jewish Community Federation of Baltimore, community development building and other buildings in Park Heights, previous bond provisions altered	396	2234
Clay Street development, bond funds for	396	2183
Community Legacy Program, bond funds for neighborhood revitalization efforts	396	2159
Neighborhood Revitalization, Division of, appropriation to	395	1988 2061 2129
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated		

	Chapter	Page
neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Prince George's County –		
Municipal corporations authorized to establish revitalization districts and grant property tax credit against municipal property tax on property in districts	476	2773
Community Facilities and Services —		
Adult day care facilities, previous bond provisions altered	396	2197
Annapolis Recreational Center on St. Mary's Street, bond funds for	396	2228
Arundel Lodge, bond funds for expansion	396	2169
		2183
Bel Alton High School Community Development Center, bond funds for	396	2173
Capitol Heights Seat Pleasant Boys and Girls Club, bond funds for	396	2179
		2190
Cardinal McCarrick Center, bond funds for	396	2188
Career Development Center, bond funds for	396	2186
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Clay Street development, bond funds for	396	2183
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Community mental health, addiction treatment, and developmental disabilities facilities, bond funds for	396	2154
Community parks and playgrounds, bond funds for grants to local governments	396	2151
Community Services Reimbursement Rate Commission, termination date extended	94	521
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Dayspring Square facility, bond funds for	396	2184
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456	2703
	457	2708
Delta Lambda Foundation Head Start facility, bond funds for	396	2184
Developmental Disabilities Administration Waiting List initiative, alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation to	571	3378
Developmental disabilities services providers, performance evaluation of surveyors who carry out inspections of each site or office operated by a licensed provider, requirements added	116	584
Displaced homemakers multipurpose service center, mandatory periodical evaluation and report of programs changed to be discretionary	131	635

	Chapter	Page
Doctor Christina Phillips Community Center, bond funds for.....	396	2184
East Baltimore Community Recreation and Learning Center, previous bond provisions altered to change purpose to be for preparing property for future development opportunities.....	396	2226 2231
Ebenezer Community Life Center, previous bond provisions altered.....	396	2224 2233
Frederick Alliance for Youth – Youth and Community Center, bond funds for.....	396	2175 2187
Governor's Office of Community Initiatives, appropriation to.....	395	1840 2017
HopeWell Cancer Support Facility, previous bond provisions altered.....	396	2245 2247
In Our House Homeless Youth Center, bond funds for	396	2185
Ivy Youth and Family Center, previous bond provisions altered..	396	2230
Jewish Community Services Facility, bond funds for.....	396	2173
Jewish Social Service Agency facility, bond funds for	396	2177 2189
John E. Feggans Center renovation, previous bond provisions altered.....	396	2245 2247
Judith P. Hoyer Early Child Care and Education Enhancement Program, annual report required to include additional information on participating agencies and programs and other information; report deadline altered	421	2545
Junior League of Baltimore Thrift Store's Community Space, bond funds for.....	396	2171 2185
Latino Economic Development Corporation facility, previous bond provisions altered.....	396	2242
Laurel Armory Anderson Murphy Community Center, bond funds for.....	396	2180
MacDonald Knolls Center, bond funds for	396	2177 2189
Mary Harvin Transformation Center, bond funds for	396	2171
Maryland Center of Veterans Education and Training, bond funds for.....	396	2171
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered.....	295	1463
Mattie B. Uzzle Outreach Center, bond funds for	396	2171 2185
Mental Health Association, bond funds for HVAC replacement...	396	2177 2189
Mental health services, appropriation for.....	395	1913 2111 2112
Morgan Mill Facility, bond funds for.....	396	2171
Olde Mill Community and Teaching Center, previous bond		

	Chapter	Page
provisions altered	396	2243
Palmer Park Boys and Girls Club, previous bond provisions altered	396	2225
Park Heights Women and Children Center, bond funds for	396	2172
Parks and People Headquarters at Auchentoroly Terrace, bond funds for	396	2185
The Powerhouse, previous bond provisions altered	396	2232
Reece Road Community Health Center, bond funds for	396	2166
Rockville Swim and Fitness Center, bond funds for locker room facility	396	2178
St. Francis Xavier Head Start facility, bond funds for	396	2172
Senior Centers Operating Fund, appropriation to	395	1843
Senior citizen activity centers, denial of inspection of certain parts of public records of individuals enrolled in or members of, provisions added	438	2648
	439	2650
Therapeutic pool for people with disabilities, previous bond provisions altered	396	2238
		2241
Tri–County Multi–Purpose Center, bond funds for	396	2181
		2192
United Cerebral Palsy adult day care facility, bond funds for	396	2186
Vesta Glenarden facility, bond funds for	396	2180
Community Service SEE Penalties and Sentences; Volunteers		
Compensation SEE Reimbursement Rates; Salaries		
Comprehensive Health Planning SEE Health Planning and Cost Review		
Comptroller —		
Appropriation to	395	1855
		2049
		2055
		2071
		2072
		2074
		2076
		2077
		2079
		2081
		2107
		2139
		2140
Brewery licenses, provisions altered for number and size of beer samples, number of beer purchases per person, number of special brewery promotional event permits issued to a holder in a calendar year, and sale for off–premises consumption	238	1079
	239	1081
Carroll County –		
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
Class 7 micro–brewery license, issuance in Washington County authorized	336	1609
Control account for workers' compensation coverage debits and Injured Workers' Insurance Fund credits and withdrawals,		

	Chapter	Page
establishment required; monthly reports required	395	2082
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added	352	1661
Estate tax deferred payment period that is allowed for qualified agricultural property, extension for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Notification of Motor Vehicle Administration that an individual has not paid all undisputed taxes, provisions added	397	2371
		2372
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Wicomico County –		
Class 6 pub–brewery license and Class 7 micro–brewery license, eligibility restrictions altered; Class A (liquor store) license holder allowed to hold certain other alcoholic beverages licenses	563	3340
Winery special event permits for use at certain Baltimore County farmers' markets by a Class 4 Maryland limited winery, provisions added	331	1585
Winery special event permits for use at certain Frederick County farmers' markets by a Class 4 Maryland limited winery, provisions added	294	1461
Worcester County –		
Berlin, issuance of a Class 7 micro–brewery (on– and off–sale) license to holder of Class D license, provisions added	393	1819
Computers —		
Annapolis Data Center operations, appropriation for	395	1857
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158

	Chapter	Page
	535	3166
Major Information Technology Development Project Fund – Appropriation for	395	1865
Sources of funding for, provisions altered	397	2299
Major information technology development projects for State agencies, approved systems development life cycle plan requirements for funding approval, provisions added	397	2297
Medicaid eligibility monitoring, updated memorandum of understanding between Departments of Health and Mental Hygiene and Human Resources required; report on new eligibility determination and enrollment systems that are required under federal health care reform, required	395	2092
Condominiums —		
Bylaws that require all unit owners to maintain condominium insurance on their units, provisions added	138	655
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Homestead exemption in bankruptcy proceedings, expanded to include debtor's aggregate interest in a cooperative housing corporation that owns property that the debtor occupies as a residence and clarified to include owner–occupied condominium unit	32	210
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Confidentiality SEE Privacy		
Conflicts of Interest SEE Ethics		
Conservation —		
See also Soil Conservation		
Agricultural Land Preservation Foundation, appropriation to	395	1896
Agricultural Land Preservation Program, bond funds for	396	2218 2222
Agricultural Land Restoration Program, bond funds for	396	2153
Broad Creek Maryland Boy Scouts of America Ecology Conservation Learning Center, bond funds for	396	2181
Critical Area Commission, appropriation to	395	1892 2058
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Energy Efficiency and Conservation Programs, appropriations for	395	1839
Estate tax deferred payment period that is allowed for qualified agricultural property, extension for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094
Heritage Conservation Fund, appropriation for	395	1889
High–performance homes, Department of Housing and		

	Chapter	Page
Community Development required to encourage the construction of	135	642
International Green Construction Code, adoption by Department of Housing and Community Development regulation authorized; adoption and amendment by local jurisdictions authorized	369	1739
Jane E. Lawton Conservation Loan Program, capital appropriation to	395	1839
Land that drains into a reservoir in the State, consideration of conservation when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Program Open Space –		
Future annual funding that is apportioned to a local governing body, use for development projects after acreage acquisition goals have been attained, provisions altered	470	2758
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Renewable and Clean Energy Programs and Initiatives, appropriation for	395	1840
Resource conservation grants, appropriation for	395	1901 2111
Resource Conservation, Office of, appropriation to	395	1900 2058
Resource conservation operations, appropriation for	395	1900 2110
Rural Legacy Program –		
Appropriation for	395	1889
Bond funds for	396	2151 2218 2222
Previous bond provisions altered	396	2211
Woodland Incentives Fund, name changed to Mel Noland Woodland Incentives Fund; clarification added that Fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Fund funds; annual report requirements clarified	330	1582
Constitutional Amendments —		
Prince George's County –		
Orphans' Court judges, qualifications altered	394	1824
Construction —		
Aging Schools Program –		
Appropriation for	395	1843
Bond funds for	396	2149
Source of funding for county grants, provisions added	397	2269

	Chapter	Page
Baltimore City –		
School construction bonds issued by Board of School Commissioners, maximum maturity date increased; report required on long–term plan for alignment of school facilities with projected enrollments and educational programs	583	3434
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Construction Contingency Fund, credit of excess appropriated construction funds to	396	2215
Construction Education and Innovation, Maryland Center for, appropriation for	395	2117
Construction–related permits requested from and issued by the Department of Natural Resources, Department of the Environment and State Highway Administration, report required	395	2095
High–performance homes, Department of Housing and Community Development required to encourage the construction of	135	642
Home builder, definition altered for purpose of home builder registration	43	241
	44	242
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Prince George's County –		
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576
Public Schools –		
Alcoholic beverages sales and use tax rate increase required to be used in fiscal year 2012, appropriation for	572	3380
Bond funds for construction	396	2149
Interagency Committee for School Construction, appropriation to	395	1842
		2054
		2071
		2075
		2080

	Chapter	Page
Previous bond provisions altered	396	2207
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Qualified zone academies, bond funds for	96	523
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Consumer Credit SEE Credit		
Consumer Protection —		
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Certificates of insurance, opinion letters, or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form that must be filed and approved, study required	514	3014
	515	3019
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale and distribution prohibited	578	3405
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Consumer Protection Division in the Office of the Attorney General, appropriation to	395	1833
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394

	Chapter	Page
Decabrominated diphenyl ether, prohibition on manufacturing, leasing, selling, or distributing certain products that contain, provisions altered and exemption added for aircraft and aircraft parts	197	886
	198	888
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Disability insurance policies that contain a clause that reserves sole discretion to carrier to interpret terms of policy or provides standards of interpretation or review that are inconsistent with State laws, carriers prohibited from selling, delivering, or issuing	155	716
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electricity suppliers, consumer education by Public Service Commission about customer choice, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Electronically printed payment device receipts that are provided to merchants and purchasers, information that may be printed on, restrictions added	595	3489
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Health benefit plans, system to comparatively evaluate the quality of care and performance of all categories of plans and annual publication of evaluation summary, requirements added	11	154
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Home Improvement Commission, civil citations, consumer		

	Chapter	Page
protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Homeowners associations, disputes between lot owners and governing body over election procedures, submission to Consumer Protection Division of the Office of the Attorney General, provisions added	491	2884
Homeowner's Insurance –		
Discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added	154	714
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Leased motor vehicles, prohibited advertising practices relating to calculation of a base lease payment and capitalized cost reduction, provisions added	367	1733
Maryland Consumer Protection Act expanded to include unfair or deceptive trade practices by a merchant in connection with the purchase of consumer goods or consumer realty from a consumer if the merchant's business includes paying off consumer debt in connection with the purchase	416	2532
	417	2534
Maryland court rules, amendment to strengthen protections for defendants in consumer debt collection cases, study and recommendations by Maryland Judiciary, provisions added	332	1587
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
Mortgage law violations, enforcement, investigation, and		

	Chapter	Page
prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Real estate broker's designee, authorization to designate two members of a team as intracompany agents for the seller and the buyer in the same transaction, provisions added	153	713
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added	38	226
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
Continuing Care —		
See also Long–Term Care; Nursing Homes		
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Contractors —		
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Home builder, definition altered for purpose of home builder registration	43	241
	44	242
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
Minority Business Enterprise Program –		

	Chapter	Page
Amendment of participation schedule that is submitted with bid or offer, provisions altered; Task Force on the Minority Business Enterprise Program and Equity Investment Capital, termination date and report deadline extended	254	1168
Participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Procurement solicitation for service contract for janitorial services, regulations that require a bidder or offeror to delineate its costs by certain categories, adoption required	339	1619
Contracts —		
Capital leases used to finance energy performance contracts, excluded from tax–supported debt; use by Treasurer authorized; and lease or contractor payments prohibited from exceeding certain energy savings	163	738
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form to be filed and approved, study required	514	3014
	515	3019
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Contract Appeals, State Board of, appropriation to	395	1845
		2020
		2048
		2071
		2076
		2080
Contract Litigation Division of the Office of the Attorney General, appropriation to	395	1834
County health officer authorized to enter into written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, or otherwise deliver health care services in the State	235	1073
	236	1075
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Dental provider contracts, carrier prohibited from requiring		

	Chapter	Page
dental provider to provide services that are not covered services at a fee set by the carrier	85	491
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Disability insurance policies that contain a clause that reserves sole discretion to carrier to interpret terms of policy or provides standards of interpretation or review that are inconsistent with State laws, carriers prohibited from selling, delivering, or issuing	155	716
Electricity suppliers, consumer education by Public Service Commission about customer choice, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Home inspectors, record retention requirements added	30	205
Limited liability companies, operating agreements, rights of assignees, and rights of members' creditors, provisions altered	597	3492
Loaned educators, maximum length of engagement and financial disclosure statements, requirements added; reports required on number of loaned educator contracts, conversions to regular positions, and new contracts	395	1955
Minority Business Enterprise Program –		
Amendment of participation schedule that is submitted with bid or offer, provisions altered; Task Force on the Minority Business Enterprise Program and Equity Investment Capital, termination date and report deadline extended	254	1168
Participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added	38	226
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts		

	Chapter	Page
with third party administrators, provisions added	380	1769
Contributions SEE Gifts		
Controlled Dangerous Substances —		
See also Drugs; Substance Abuse		
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Conventions —		
Baltimore Convention Center, appropriation to	395	1844
		2019
Montgomery County Convention Center, appropriation to	395	1844
Ocean City Convention Center, appropriation to	395	1844
		2019
Cooperative Associations —		
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Homestead exemption in bankruptcy proceedings, expanded to include debtor's aggregate interest in a cooperative housing corporation that owns property that the debtor occupies as a residence and clarified to include owner–occupied condominium unit	32	210
Net energy metering, accrual of net excess generation and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added	405	2421
	406	2427
Small rural electric cooperatives, distribution of funds from a rate relief account established under the Maryland Strategic Energy Investment Fund, requirements altered	18	172
	19	175
Coroners SEE Medical Examiners		
Corporations —		
See also Municipal Corporations; Public Corporations and Municipalities		
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added	500	2955
	501	2968
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Special fund for costs of reviewing, processing, and auditing documents, transfer of funds to the General Fund	397	2377

	Chapter	Page
Correction, Division of —		
Appropriation to	395	1942 2060
Graduated administrative sanctions for violations of parole by releasees from the Division of Corrections, development of pilot program and reports required	554 555	3279 3287
Correctional Institutions —		
See also Juvenile Facilities; Patuxent Institution		
Adult Corrections Program, appropriation for	395	1937
Appropriations to various correctional institutions	395	1944 2121
Canine operations in the Division of Correction, appropriation for	395	1943
Cecil County Detention Center, bond funds for	396	2192
Correctional Standards, Commission on, appropriation to	395	1953
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Inmate access to personal information of others through participation in Maryland Correctional Enterprises programs, prohibited	358	1695
Inmate population reduction plan and report, requirements added	395	1943
Maryland Correctional Enterprises –		
Appropriation to	395	1950 2037
Revolving Fund, transfer of funds to the General Fund	397	2378
Maryland Correctional Training Center, bond funds for	396	2155
Maryland House of Correction –		
Bond funds for deconstruction	396	2154
Report on how inmate labor will be used for deconstruction project, required	396	2154
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224 225	1043 1046
North Branch Correctional Institution, housing units and support space, previous bond provisions altered	396	2195 2198
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added	361	1706
Project reserve funds, Eastern Correctional Institution Steam Turbine Contingency Fund, Department of Natural Resources Project Contingency Fund, and Reimbursable Project Contingency Fund created	397	2293
Teachers at correctional facilities and certain juvenile facilities, income tax credit for tuition costs for graduate level courses required to maintain certification, provisions added	490	2883
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940

	Chapter	Page
Western Correctional Institution, Vocational Education Building and landfill closure cap, previous bond provisions altered	396	2204
Correctional Officers —		
Bill of rights for correctional officers at local correctional facilities, made applicable to St. Mary's County and definition of "correctional officer" altered	128	628
Correctional Training Commission, appropriation to.....	395	1952
		2122
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Public Safety Training Center, previous bond provisions altered	396	2198
State Retirement and Pension Systems, provisions to simplify the administration of with respect to reemployment, added ...	591	3474
Corrective Legislation —		
Annual corrective bill, adopted.....	65	298
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects.....	145	674
Costs SEE Prices		
Councils SEE Committees and Commissions		
Counselors —		
See also Social Workers		
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Professional counselors and therapists, authorization of home study courses towards completion of continuing education requirements, prohibition repealed.....	480	2786
	481	2787
Counterfeiting SEE Forgery		
Counties —		
See also Local Government Mandates		
Aging Schools Program –		
Bond funds for grants to counties	396	2149
Source of funding for county grants, provisions added	397	2269
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered.....	452	2687
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added.....	146	682
Counterfeit deed or other instrument that is recorded in county land records or filed with the clerk of the circuit court or the register of wills, venue for prosecution of counterfeiting crime expanded.....	73	390
Direct deposit of wages paid to employees of counties and		

	Chapter	Page
municipal corporations, provisions added	324	1564
Disparity Grants to Counties –		
Appropriation for	395	1826 1959
Calculation, provisions altered	397	2259 2390
Family Investment Program, appropriation for payments to local jurisdictions	395	1930
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484 485	2810 2840
Forest or Park Reserve Fund, calculation of payments to counties, provisions altered	397	2295
Graduated administrative sanctions for violations of parole by releasees from the Division of Corrections, development of pilot program and reports required	554 555	3279 3287
Habitat for Humanity, local property tax credit provisions altered	130	634
Health officer authorized to enter into written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, or otherwise deliver health care services in the State	235 236	1073 1075
Highway User Revenues –		
Amount of distributions to counties and municipalities, provisions altered	397	2366
Appropriation for distribution to counties and municipalities	395	1881 2109
Hot air balloons that are not tethered, county or municipal corporation prohibited from imposing admissions and amusement tax on gross receipts from charge for admission to or use of	125	616
International Green Construction Code, adoption by Department of Housing and Community Development regulation authorized; adoption and amendment by local jurisdictions authorized	369	1739
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added	297	1477
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Local health department review process, report required on progress in implementing	395	1906
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by		

	Chapter	Page
privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Maintenance of Effort Requirement for State Education Aid –		
Application of penalty for noncompliance delayed until the fiscal year following county noncompliance	605	3549
Penalty for noncompliance, provisions altered	397	2382
Requirement for counties that shift to the county board of education the recurring costs associated with retiree health benefits for current retirees, provisions altered	397	2382 2390
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224 225	1043 1046
Police protection, State aid to local jurisdictions, appropriation for	395	2011
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added	361	1706
Program Open Space –		
Future annual funding that is apportioned to local governing body, use for development projects after acreage acquisition goals have been attained, provisions altered	470	2758
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Public school construction, alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation for	572	3380
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity		

	Chapter	Page
requirements, provisions added	83	484
	84	488
Racing revenue shares to local subdivisions, appropriation for	395	1936
Reimbursement of Department of Assessments and Taxation for costs of property valuation and information technology, provisions added	397	2357
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
Semiannual property tax payment schedule for business property, eligibility provisions altered	593	3483
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
State aid to education funds that exceed the State share of the foundation program because of use of certain available federal funds, distribution of certain amount to counties as prefunding of State share of the foundation program for next fiscal year, provisions added	397	2382
Transportation capital grants to local governments, appropriation for	395	2108
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Video lottery terminal local impact grants, appropriation for	395	1936
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449

	Chapter	Page
	293	1455
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Country Clubs —		
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Harford County –		
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs	6	140
County and Baltimore City Bonds —		
Calvert County –		
Public facilities bonds, authorized	150	704
Carroll County –		
Public facilities bonds, authorized	117	587
County Commissioners —		
Allegany County –		
1–day special retail alcoholic beverages license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Term of office, term limits, and filling vacancies in office, provisions added	594	3487
Garrett County –		
Procedure for filling vacancy in office, provisions altered	440	2652
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
St. Mary's County –		
Metropolitan Commission appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732
Somerset County –		

	Chapter	Page
Sale of certain county property at private sale to the city of Crisfield and to the American Legion – Stanley Cochrane Post #16, provisions added	544	3235
	545	3236
Washington County –		
Board of Elections, compensation, membership, and filling of vacancies, provisions altered	247	1112
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Worcester County –		
Department of Liquor Control created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
County Councils —		
Baltimore County –		
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
County Executives —		
Baltimore County –		
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513

	Chapter	Page
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered.....	612	3576
Court Costs —		
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief.....	216	1005
	217	1010
Traffic cases in District Court, distribution of court costs surcharge altered	397	2264
Court of Appeals —		
Appropriation to	395	1828
Judges, appropriation for	395	2048
Court of Special Appeals —		
Appropriation to	395	1829
Judges, appropriation for	395	2048
Courts —		
See also Circuit Courts; Court of Appeals; Court of Special Appeals; District Courts; Orphans' Court; Tax Court, Maryland		
Action against person who had applicable insurance coverage at time of alleged liability, certification that is required before defendant's insurer must disclose defendant's last known address to plaintiff, provisions altered.....	184	854
Animal abuse, neglect, or cruelty violations, court authorized to prohibit violators from owning, possessing, or residing with an animal as a condition of probation	26	192
	27	194
Attorney fees, payment without court approval from an estate to attorney representing estate in litigation under contingency fee agreement, provisions added	80	475
Bail bonds, requirements for return of forfeited bond or collateral to a surety, provisions altered.....	598	3503
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered.....	157	724
Counterfeit deed or other instrument that is recorded in county land records or filed with the clerk of the circuit court or the register of wills, venue for prosecution of counterfeiting crime expanded.....	73	390
Court files and records relating to unserved arrest warrants and charging documents, access by Department of Juvenile Services expanded.....	15	165
Crime victims' rights, court assurance in criminal proceeding that victim is afforded rights provided by law, and judgment of restitution for victim whose right to restitution was improperly denied or not considered, provisions added	362	1708
Family Law Division of the circuit courts, appropriation to	395	1830
Firearms, use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered.....	164	741
	165	744

	Chapter	Page
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered.....	355	1670
Grounds for absolute divorce, provisions for length of time of separation altered	423	2552
	424	2554
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016
Judicial Information Systems, appropriation to	395	1830
Judiciary, appropriation to	395	1828
		2048
		2070
		2075
		2080
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Limited liability companies, operating agreements, rights of assignees, and rights of members' creditors, provisions altered.....	597	3492
Lost note affidavit, court acceptance in lieu of a copy of the debt instrument in an action to foreclose on residential property, affidavit content requirements added	477	2775
	478	2780
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required.....	215	970
Maryland court rules, amendment to strengthen protections for defendants in consumer debt collection cases, study and recommendations by Maryland Judiciary, provisions added...	332	1587
Maryland Judicial Conference, appropriation to	395	1829
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified.....	127	619
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Out–of–state attorneys, fee for special admission to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
Peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield court records relating to	119	594
Personal injury award or settlement, withholding of portion of award or settlement to pay child support arrearage, provisions added.....	603	3535
Problem–Solving Courts, Office of, appropriation to	395	2094
Public defender services, determination of eligibility for services		

	Chapter	Page
without a need assessment for individuals whose assets and net annual income are less than 100% of federal poverty guidelines, provisions added; authority of court to appoint outside counsel, provisions clarified	244	1103
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Talbot County –		
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251
Truancy Reduction Pilot Program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Crabs —		
Fishing gear regulations, adoption by Department of Natural Resources authorized	577	3402
Revocation of commercial fishing authorization to catch striped bass or crabs under tidal fish license for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Credit —		
Credit Assurance, Division of, appropriation to	395	1988
		2061
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Electronically printed payment device receipts that are provided to merchants and purchasers, information that may be printed on, restrictions added	595	3489
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Credit Cards SEE Credit		
Credit Unions —		
Electronically conducted elections for board of directors, provisions added	311	1533
Crime Control and Prevention, Governor's Office of —		
Appropriation to	395	1841
		2104

	Chapter	Page
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Crimes and Punishments —		
See also Penalties and Sentences; specific crimes		
Adverse action by employer against employee who makes complaint, brings an action, or testifies in an action under the Maryland Wage and Hour Law, prohibited	494	2895
	495	2898
Animal abuse, neglect, or cruelty violations, court authorized to prohibit violators from owning, possessing, or residing with an animal as a condition of probation	26	192
	27	194
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Carroll County –		
Fortune–telling prohibition, provisions repealed	147	687
Child neglect, misdemeanor crime established	398	2391
	399	2399
Cigarettes, sale or distribution of unpackaged cigarettes prohibited	22	180
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Counterfeit deed or other instrument that is recorded in county land records or filed with the clerk of the circuit court or the register of wills, venue for prosecution of counterfeiting crime expanded	73	390
Crime victims' rights, court assurance in criminal proceeding that victim is afforded rights provided by law, and judgment of restitution for victim whose right to restitution was improperly denied or not considered, provisions added	362	1708
Criminally negligent manslaughter by vehicle or vessel,		

	Chapter	Page
misdemeanor crime established	334	1606
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Firearm identification mark or number, removal or alteration specified as a misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
Firearms, use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered	164	741
	165	744
Fourth degree sexual offense involving nonconsensual sexual contact if the victim is a minor, statute of limitations increased for prosecution	192	875
	193	878
Graduated administrative sanctions for violations of parole by releasees from the Division of Corrections, development of pilot program and reports required	554	3279
	555	3287
Harassment, maximum penalty increased for second or subsequent offense	342	1628
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Homeowner's insurance, discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Human Trafficking –		
Added to list of crimes for which evidence may be gathered during a criminal investigation through interception of		

	Chapter	Page
oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266
Awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Victim who is convicted of prostitution authorized to file motion to vacate judgment if prostitution was part of the human trafficking victimization, provisions added	218	1016
Identity fraud, assuming the identity of a fictitious person for certain purposes, prohibited	70	384
	71	385
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or State law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Peace order violations, penalty increased, for second or subsequent offense, for violating an interim, a temporary, or a final peace order	68	382
	69	383
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Picketing activities at a funeral, burial, memorial service, or funeral procession, distance increased within which activities prohibited	570	3377
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238

	Chapter	Page
	547	3245
Property markers, penalty increased for willfully obliterating, damaging, or removing	33	214
	34	215
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752
Sexual act, definition expanded to include certain acts formerly defined as sexual contact	195	882
	196	884
Striped bass, penalties for large–scale poaching, provisions added	619	3604
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Criminal Background Investigations —		
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added	592	3480
Critical Areas SEE Chesapeake Bay; Coastal Bays		
Cruelty to Animals SEE Animals		
Cultural Affairs SEE Art, Music and Cultural Affairs		
Curative Legislation —		
Annual curative bill, adopted	64	282

D

Damages —		
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214

	Chapter	Page
	265	1221
Data Banks SEE Computers		
Data Processing SEE Computers		
Day Care SEE Child Care		
Deaf Persons —		
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Maryland School for the Deaf –		
Columbia Campus, appropriation to	395	1986
		2071
		2073
		2074
		2076
		2078
		2079
		2081
		2128
Frederick Campus –		
Appropriation to	395	1985
		2061
		2071
		2073
		2074
		2076
		2078
		2079
		2081
		2128
Elementary, Family Education, and Student Support Services Complex, previous bond provisions altered	396	2202
Fire alarm and emergency notification system, bond funds for	396	2158
Office of the Deaf and Hard of Hearing, appropriation to	395	1838
		2071
		2075
		2080
Smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing, sale and installation requirements altered; Fire Marshal approval and fee requirements repealed	143	671
Dealers —		
See also Motor Vehicle Dealers and Salesmen		
Firearm identification mark or number, removal or alteration specified as a misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Kennel license, requirements for breeders, record–keeping and		

	Chapter	Page
reporting requirements for counties, and additional fees, provisions added	297	1477
Prince George's County –		
Precious metal object dealers, required period of time for holding certain precious metal objects, provisions altered	306	1510
	307	1512
Secondhand precious metal object dealers and pawnbrokers, license and renewal fees increased	321	1557
Secondhand precious metal object dealers, length of time items in a transaction must remain tagged, and procedures for dealer to amend a record required to be submitted to law enforcement, provisions added; exemption of certain retail jeweler transactions from dealer license provisions	379	1766
Death —		
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Debt Collection —		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Collection Agency Licensing Board, State, termination date of statutory provisions and regulations extended; evaluation required	332	1587
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Immunity from claims of creditors for certain former tenancy by the entirety property that is transferred to trustees of one or more trusts and proceeds of the property, and waiver of immunity, provisions added and altered	522	3120
	523	3123

	Chapter	Page
Maryland court rules, amendment to strengthen protections for defendants in consumer debt collection cases, study and recommendations by Maryland Judiciary, provisions added...	332	1587
Debt Management —		
Debt settlement services, provider registration and regulation and consumer protection, provisions added.....	280	1376
	281	1394
Maryland Consumer Protection Act expanded to include unfair or deceptive trade practices by a merchant in connection with the purchase of consumer goods or consumer realty from a consumer if the merchant's business includes paying off consumer debt in connection with the purchase.....	416	2532
	417	2534
Decedents' Estates SEE Estates and Trusts		
Deductions SEE Exemptions		
Deeds —		
Counterfeit deed or other instrument that is recorded in county land records or filed with the clerk of the circuit court or the register of wills, venue for prosecution of counterfeiting crime expanded.....	73	390
Deer SEE Animals; Hunting		
Deferred Compensation SEE Salaries		
Delinquent Youth SEE Gangs; Juvenile Causes		
Dental Care SEE Dentists		
Dental Hygienists —		
Authorization to monitor patients to whom nitrous oxide is administered, provisions added.....	271	1324
	272	1328
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Dental Plan Organizations SEE Health Insurance; Health Maintenance Organizations		
Dentists —		
Dental provider contracts, carrier prohibited from requiring dental provider to provide services that are not covered services at a fee set by the carrier.....	85	491
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
State Board of Dental Examiners, regulations relating to authorization of dental hygienists to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925

	Chapter	Page
Desertion SEE Family Law		
Detention Centers SEE Correctional Institutions; Juvenile Facilities; Patuxent Institution		
Development Fees and Taxes —		
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Prince George's County –		
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576
Developmental Disabilities —		
Autism spectrum disorder, appropriation for home and community based waiver for children	395	1958
Best Buddies International (MD Program), appropriation to	395	1964
Chesterwye Center, bond funds for Jessie's House	396	2180
Community developmental disabilities services, appropriation for	395	1917 2112
Community mental health, addiction treatment, and developmental disabilities facilities, bond funds for	396	2154
Community Services Reimbursement Rate Commission, termination date extended	94	521
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456 457	2703 2708
Developmental Disabilities Administration –		
Appropriation to	395	1917 2031 2059
Provider funding reduction as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services, provisions that prohibit, added	397	2389
The Dyslexia Tutoring Program, Inc., appropriation to	395	1965
Inspection of each site or office operated by a licensed developmental disabilities services provider, performance evaluation of surveyors who carry out inspections, requirements added	116	584
Ivymount School Annex Building, bond funds for	396	2176 2189
Kennedy Krieger Institute, bond funds for Comprehensive Autism Center	396	2163
Linwood Center, bond funds for	396	2167 2182
MacDonald Knolls Center, bond funds for	396	2177 2189
New Horizons Disability Job Training and Recycling Center,		

	Chapter	Page
bond funds for	396	2192
State facilities for persons with developmental disabilities, appropriations for various	395	1918 2031
Waiting List initiative for the Developmental Disabilities Administration, alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation to	571	3378
Disabilities —		
See also Blind Persons; Deaf Persons; Developmental Disabilities		
Accessibility modifications to State buildings and facilities, bond funds for	396	2148
Adult day care facilities, previous bond provisions altered	396	2197
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
The Arc of Howard County, bond funds for Graeloch home renovation	396	2188
Behavioral Health and Disabilities, Deputy Secretary for, appropriation to	395	1908 2059
Best Buddies International (MD Program), appropriation to	395	1964
Camp Fairlee Manor, bond funds for	396	2182
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Deaf and Hard of Hearing, Office of the, appropriation to	395	1838 2071 2075 2080
Disability insurance policies that contain a clause that reserves sole discretion to carrier to interpret terms of policy or provides standards of interpretation or review that are inconsistent with State laws, carriers prohibited from selling, delivering, or issuing	155	716
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added	596	3490
Homecrest House, bond funds for	396	2176
Hunting license exemption for armed forces member with a service–connected disability, provisions expanded	543	3233
Ivymount School Annex Building, bond funds for	396	2176 2189
Military Personnel and Service–Disabled Veteran Loan Program, appropriation for	395	1995

	Chapter	Page
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Rehabilitation Services, Division of, appropriation to	395	1958
		2038
Smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing, sale and installation requirements altered; Fire Marshal approval and fee requirements repealed	143	671
Special needs trusts, supplemental needs trusts, and pooled asset special needs trusts, use by individual with disabilities encouraged; limitation on restrictive regulations and requirements, provisions added	561	3336
	562	3338
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Students with Disabilities –		
Accounting system and reporting requirements for nonpublic placements program, provisions added	395	2087
Appropriation for	395	1961
		2124
Rate of payment for education services by providers of nonpublic placements or providers with rates set by the Interagency Rates Committees, provisions altered	397	2385
Tax credits for employers who hire certain qualifying individuals with disabilities, provisions altered and termination date extended	558	3329
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Therapeutic pool for people with disabilities, previous bond provisions altered	396	2238
		2241
United Cerebral Palsy adult daycare facility, bond funds for	396	2186
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related		

	Chapter	Page
accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Disabilities, Department of —		
Appropriation to	395	1838
		2054
		2071
		2073
		2074
		2075
		2078
		2079
		2080
Disability Insurance SEE Health Insurance		
Disability Retirements SEE Retirement Systems		
Disabled Persons SEE Blind Persons; Deaf Persons; Disabilities		
Disasters SEE Emergencies		
Discipline —		
Correctional officers' bill of rights for local correctional facilities, made applicable to St. Mary's County and definition of "correctional officer" altered	128	628
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Law Enforcement Officers' Bill of Rights extended to apply to members of the Internal Investigation Unit of the Department of Public Safety and Correctional Services	39	231
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264

	Chapter	Page
	551	3268
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered.....	617	3599
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Disclosure —		
Access to public records in a searchable and analyzable electronic format, provisions added.....	536	3174
Accountants, services that constitute the practice of certified public accountancy, provisions altered; preparation of a compilation by nonlicensed individual and standard language for disclosure statement regarding exemption from peer review requirements under certain circumstances, provisions added	228	1051
	229	1057
Action against person who had applicable insurance coverage at time of alleged liability, certification that is required before defendant's insurer must disclose defendant's last known address to plaintiff, provisions altered.....	184	854
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Baltimore County –		
Board of Education, development and operation of a searchable Web site that includes Board payment data, requirements added.....	105	548
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added.....	500	2955
	501	2968
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief.....	216	1005
	217	1010
Court files and records relating to unserved arrest warrants and charging documents, access by Department of Juvenile Services expanded.....	15	165
Credit reports or credit histories of employees and applicants for employment, use by employer for certain purposes, restrictions added.....	28	196
	29	200
Debt settlement services, provider registration and regulation		

	Chapter	Page
and consumer protection, provisions added	280	1376
	281	1394
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Home inspectors, record retention requirements added	30	205
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Insurance, prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Loaned educators, maximum length of engagement and		

	Chapter	Page
financial disclosure statements, requirements added; reports required on number of loaned educator contracts, conversions to regular positions, and new contracts	395	1955
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
Peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield court records relating to	119	594
Physician information, disclosure to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289

	Chapter	Page
Real estate broker's designee, authorization to designate two members of a team as intracompany agents for the seller and the buyer in the same transaction, provisions added	153	713
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added	38	226
St. Mary's County –		
Metropolitan Commission, commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
Senior citizen activity centers, denial of inspection of certain parts of public records of individuals enrolled in or members of, provisions added	438	2648
	439	2650
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Discrimination —		
Adverse action by employer against employee who makes complaint, brings an action, or testifies in an action under the Maryland Wage and Hour Law, prohibited	494	2895
	495	2898
Homeowner's insurance, discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Juvenile services and programs for females that are substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date		

	Chapter	Page
extended	252	1145
	253	1157
Public school employees, employment discrimination provisions conformed to other provisions of State law governing discrimination in employment	322	1558
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Diseases —		
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Disease prevention and control, appropriation for	395	1907
		2028
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
HopeWell Cancer Support Facility, previous bond provisions altered	396	2245
		2247
Infectious Disease and Environmental Health Administration, appropriation to	395	1905
		2028
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Kidney Disease Program –		
Appropriation for kidney disease treatment services	395	1924
		2033
Subsidy by nonprofit health insurance plans that are exempt from premium tax, provisions added	397	2291
Transfer of funds from the Senior Prescription Drug Assistance Program account of the Maryland Health Insurance Plan Fund to, provisions added	397	2380
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of		

	Chapter	Page
health insurance products that may be sold in conjunction with a life insurance policy and report, required	41	236
	42	238
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552	3271
	553	3275
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Displaced Homemakers —		
Multipurpose service center for displaced homemakers, mandatory periodical evaluation and report of programs changed to be discretionary	131	635
Distracted Driving SEE Motor Vehicle Operation		
District Courts —		
Appropriation to	395	1829
Award of temporary possession of a pet of a person eligible for relief or a respondent in an interim or a temporary or final protective order, provisions added	283	1415
	284	1421
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380
Court costs surcharge for traffic cases in District Court, distribution provisions altered	397	2264
Judges, appropriation for	395	2048
New facility in Catonsville, bond funds for	396	2148
Rockville District Court, previous bond provisions altered	396	2197
		2204
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Divorce —		
Grounds for absolute divorce, provisions for length of time of separation altered	423	2552
	424	2554
Docking Masters SEE Pilots and Docking Masters		
Docks SEE Piers and Docks		
Doctors SEE Physicians		
Documents SEE Maps and Charts		
Dogs SEE Animals		
Domestic Relations SEE Family Law		
Domestic Violence —		

	Chapter	Page
See also Child Abuse and Neglect		
Award of temporary possession of a pet of a person eligible for relief or a respondent in an interim or a temporary or final protective order, provisions added	283	1415
	284	1421
Peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield court records relating to	119	594
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Sexual Assault and Domestic Violence Programs, appropriation for transfer to Governor's Office of Crime Control and Prevention	395	2104
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711
Domiciliary Care SEE Assisted Living		
Donations SEE Gifts		
Dorchester County —		
Alcoholic beverages, residency requirement for voters who sign a certificate to support an alcoholic beverages license application, repealed; prohibition against Class B or C licensees selling alcoholic beverages at a bar or counter on Sunday, repealed	370	1743
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
State Bonds –		
Chesapeake Grove – Senior Housing and Intergenerational Center	396	2174
Choptank River Lighthouse replica	396	2174
		2187
Dorchester Center for the Arts	396	2174
Dorchester General Hospital	396	2167
Harriet Tubman Underground Railroad State Park	396	2217
Harriet Tubman Underground Railroad State Park, previous bond provisions altered	396	2211
Tax sales of property, notice requirements and amount of auctioneer's fee allowed as an expense, provisions altered	328	1579
Dredging —		
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226	1049

	Chapter	Page
	227	1050
Drivers' Licenses —		
Application by minor committed to custody or guardianship of local social services department, director of department required to cosign	141	660
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Medal of Honor recipient, exemption from paying fee for renewal of motor vehicle registration and driver's license, provisions added	413	2518
	414	2519
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Verification of payment of taxes and unemployment insurance contributions before issuing driver's license or motor vehicle registration, requirements added	397	2360
		2372
Driving SEE Motor Vehicle Operation		
Driving While Intoxicated SEE Drunk and Drugged Driving		
Drug Abuse SEE Substance Abuse		
Drugs —		
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Eye drop prescription refills, health insurance coverage, provisions added	524	3126
	525	3128
Federal subsidies received as a result of the State's prescription drug program, credit to the General Fund, requirements added	397	2379
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Maryland Health Insurance Plan Fund –		
Transfer of funds from Senior Prescription Drug Assistance Program account to the Kidney Disease Program, provisions added	397	2380

	Chapter	Page
Transfer of funds from Senior Prescription Drug Assistance Program account to the Medical Assistance Program, provisions added	397	2380
Pharmacy benefit managers, recoupment of claims payment based on a minor error, prohibited; recoupment of claims overpayments and payment of discovered underpayment, provisions clarified	568	3365
	569	3371
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
Senior Prescription Drug Assistance Program Account of the Maryland Health Insurance Plan Fund, transfer of funds to the General Fund	397	2377
Senior Prescription Drug Assistance Program, appropriation for	395	1851
		2023
State retiree health insurance benefit option and prescription drug benefit, eligibility and State subsidy amount, provisions altered	397	2304
State retiree prescription drug benefits, discontinuation for Medicare–eligible retirees, provisions added	397	2310
Drunk and Drugged Driving —		
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Motor vehicle insurance, insurers authorized to cancel or refuse to underwrite or renew a particular insurance risk or class of risk if insured is convicted of driving or attempting to drive while impaired by alcohol	89	509
Dry Cleaners and Laundries —		
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Dump Trucks SEE Trucks		

E

Easements —		
Agricultural Land Preservation Program, bond funds for	396	2218
		2222
Agricultural Land Restoration Program, bond funds for	396	2153
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land		

	Chapter	Page
preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Estate tax deferred payment period that is allowed for qualified agricultural property, extension for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094
Eastern Shore —		
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Economic Development SEE Commerce and Business		
Education —		
See also Higher Education; Public Schools; Special Education		
Academic reform and innovation, appropriation for	395	1956
Adult Education and Literacy Program, appropriation for	395	1937
African American History and Culture, Commission on, membership and duties, provisions altered	162	736
Alice Ferguson Foundation, appropriation to	395	1964
Athletic competitions sanctioned by a county board of education, minimum academic performance standards that public high school students must meet for participation in, report required	335	1607
Autism spectrum disorder, appropriation for home and community based waiver for children	395	1958
Broad Creek Maryland Boy Scouts of America Ecology Conservation Learning Center, bond funds for	396	2181
Career and College Readiness, Division of, appropriation to	395	1957
Career and technology education, appropriation for	395	1962
Carrie Weedon Science Center, previous bond provisions altered	396	2229
Certified public accountancy, educational requirements for examination and licensure, provisions altered	208	947
Children at risk, appropriation for	395	1961
Children with disabilities, rate of payment for providers of nonpublic placements or providers with rates set by the Interagency Rates Committees, provisions altered	397	2385
Children's Cabinet Interagency Fund, appropriation to	395	1968 2039 2064
Citizenship–Law Related Education, appropriation to	395	1964
College Bound, appropriation to	395	1965
Compensatory education, appropriation for	395	1960 2124
Delta Lambda Foundation Head Start facility, bond funds for	396	2184
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271 272	1324 1328
Early Childhood Development, Division of, appropriation to	395	1956 2038
Echo Hill Outdoor School, appropriation to	395	1965

	Chapter	Page
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Educationally deprived children, appropriation for	395	1962
Emergency medical services providers, definitions altered for purposes of licensing, certification, and regulation; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Formula programs for specific populations, appropriation for	395	1961
Gifted and talented, appropriation for	395	1962
Governor's Workforce Investment Board, study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Head Start, appropriation to	395	1964
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Home inspector license renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Instruction, Division of, appropriation to	395	1957
		2038
Judith P. Hoyer Early Child Care and Education Enhancement Program, annual report required to include additional information on participating agencies and programs and other information; report deadline altered	421	2545
Junior Achievement of Central Maryland, appropriation to	395	1965
Juvenile Services Education Program, appropriation for	395	1957
		2008
		2038
Landscape architects, educational and experience requirements for applicants seeking to take the licensing examination, provisions altered	212	960
Language assistance, appropriation for	395	1962
Limited English proficient, appropriation for	395	1962
		2125
Living Classrooms Foundation, appropriation to	395	1965

	Chapter	Page
Maryland Academy of Sciences, appropriation to	395	1965
Maryland Center of Veterans Education and Training, bond funds for	396	2171
Maryland Leadership Workshops, appropriation to	395	1965
Maryland Mathematics, Engineering and Science Achievement, appropriation to	395	1965
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Nonpublic school aid for textbooks or electronically delivered learning materials, appropriation for	395	1965
Northbay Adventure, appropriation to	395	1965
Olde Mill Community and Teaching Center, previous bond provisions altered	396	2243
Outward Bound, appropriation to	395	1965
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Polysomnographic technologists, deadline extended for licensure and for fulfilling requirements for waiver of education requirement for licensure	267	1230
	268	1242
Professional counselors and therapists, authorization of home study courses towards completion of continuing education requirements, prohibition repealed	480	2786
	481	2787
Real estate brokers, associate brokers, and salespersons, provisions for reinstatement of expired licenses, reactivation of licenses placed on inactive status, and continuing education requirements for license renewal, altered	207	943
Rehabilitation Services, Division of, appropriation to	395	1958
		2038
Residential boarding education programs for at–risk youth, funding provisions altered	503	2985
	504	2987
St. Francis Xavier Head Start facility, bond funds for	396	2172
Science and Mathematics Education Initiative, appropriation for	395	1963
South Baltimore Learning Center, appropriation to	395	1965
State Aid to Education –		
Appropriation for	395	1938
		1959
		2039
Decrease in a county's total direct education aid for fiscal 2012, provisions to limit added	397	2268
		2390
Guaranteed Tax Base Program, appropriation for	395	1959
		1962
		2125
		2137
Maintenance of Effort –		
Noncompliance penalty, application delayed until the fiscal year following county noncompliance	605	3549
Noncompliance penalty, restrictions added	397	2382

	Chapter	Page
Requirements for counties that shift to the county board the recurring costs associated with retiree health benefits for current retirees, provisions altered	397	2382 2390
Reimbursement to State by county board of education of the basic cost of education of a child in State–supervised care in a nonpublic residential placement that provides an education program, provisions added	397	2269 2279
State funds that exceed the State share of the foundation program because of use of certain available federal funds, distribution of certain amount to counties as prefunding of State share of the foundation program for next fiscal year, provisions added	397	2382
Target per pupil foundation amount in FY 2012, provisions altered	397	2268
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248 249	1115 1125
State Share of Foundation Program, appropriation for	395	1959 2039 2124
Student, Family and School Support, Division of, appropriation to	395	1957
Students with disabilities, appropriation for	395	1961 2124
Study of adequacy of education funding in the State, requirements altered	397	2375
Sultana Projects, appropriation to	395	1965
Transitional Education Funding Program, appropriation for	395	1963
The Village Learning Place, Inc., appropriation to	395	1965
Education, Boards of —		
Administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency, payment of pro rata share of, provisions added	397	2387
Anne Arundel County –		
Reappointment and terms of members, provisions altered	177 178	837 842
Annual budget request in each county for funding from local revenues, provisions altered	397	2267
Athletic competitions sanctioned by a county board of education, minimum academic performance standards that public high school students must meet for participation in, report required	335	1607
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Baltimore City –		
Board of School Commissioners, annual report requirement repealed	319	1553

	Chapter	Page
School construction bonds issued by Board of School Commissioners, maximum maturity date increased; report required on long–term plan for alignment of school facilities with projected enrollments and educational programs	583	3434
Baltimore County –		
Development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Public school employee collective bargaining unit for administrative and supervisory certificated and noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473	2762
	474	2767
Baltimore County Board of Education, Task Force on the Membership and Operation of the, established; report required	459	2715
	460	2718
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Jane Lawton Farm–to–School Program, annual report on types and amounts of products purchased from State farms by local schools, requirements added	140	658
Prince George's County –		
Public disclosure of payment data on a searchable Web site, requirements added	488	2879
	489	2881
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Reimbursement to State of the basic cost of education of a child in State–supervised care in a nonpublic residential placement that provides an education program, provisions added	397	2269
		2279
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Education Financing SEE Education; Public Schools; State Aid		
Education, State Board of —		
Athletic competitions sanctioned by a county board of education, minimum academic performance standards that public high school students must meet for participation in, report required	335	1607
High school graduation rate formula and ethnic and racial		

	Chapter	Page
categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Education, State Department of —		
Appropriation to	395	1955 2037 2071 2073 2076 2077 2078 2081 2123 2139
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Cheltenham Youth Facility, education services for youth at, reports on funding and transfer required	395	2009
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Family day care providers, obsolete amnesty provisions for unregistered providers repealed	206	941
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539 540	3187 3192
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Human trafficking awareness and training for directors of student services in local education agencies, requirements added	137	654
Informational form that lists and explains the various paths to obtaining teacher tenure and certification in the State, development, posting to Web site, and provision to spouse of member of military as assistance in finding employment, provisions added	517 518	3036 3040
Judith P. Hoyer Early Child Care and Education Enhancement Program, annual report required to include additional information on participating agencies and programs and other information; report deadline altered	421	2545
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term “family day care” changed to “family child care”; eligibility for certain child care grants, expanded.	564	3342
Loaned educators, maximum length of engagement and financial disclosure statements, requirements added; reports required on number of loaned educator contracts, conversions		

	Chapter	Page
to regular positions, and new contracts	395	1955
Residential boarding education programs for at–risk youth, funding provisions altered	503	2985
	504	2987
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Students with disabilities, accounting system and reporting requirements for nonpublic placements program, provisions added	395	2087
Study of adequacy of education funding in the State, requirements altered	397	2375
Superintendent of Schools, appropriations for	395	2050
		2061
Elderly Persons —		
Adult day care facilities, previous bond provisions altered	396	2197
Charles E. Smith Life Communities, bond funds for	396	2162
Chesapeake Grove – Senior Housing and Intergenerational Center, bond funds for	396	2174
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added	596	3490
Homecrest House, bond funds for	396	2176
Little Sisters of the Poor, bond funds for boiler room	396	2168
		2182
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
Maryland Health Insurance Plan Fund –		
Transfer of funds from Senior Prescription Drug Assistance Program account to the Kidney Disease Program, provisions added	397	2380
Transfer of funds from Senior Prescription Drug Assistance Program account to the Medical Assistance Program, provisions added	397	2380
Senior Centers Operating Fund, appropriation to	395	1843
Senior citizen activity centers, denial of inspection of certain parts of public records of individuals enrolled in or members of, provisions added	438	2648
	439	2650
Senior Prescription Drug Assistance Program Account of the Maryland Health Insurance Plan Fund, transfer of funds to the General Fund	397	2377
Senior Prescription Drug Assistance Program, appropriation for	395	1851
		2023
Stadium Place, previous bond provisions altered	396	2244
		2246
Temporary dental clinic permits and temporary volunteer		

	Chapter	Page
licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Elected Officials SEE Public Officials		
Elections —		
See also Voting		
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Electioneering boundaries at polling places in Carroll and Montgomery counties, provisions altered	344	1633
Electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Homeowners associations, disputes between lot owners and governing body over election procedures, submission to Consumer Protection Division of the Office of the Attorney General, provisions added	491	2884
Independent expenditures and electioneering communications, reporting requirements added	575	3388
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Elections, Boards of SEE Elections, State Board of; Elections Supervisors		
Elections, State Board of —		
Appropriation to	395	1844
		2054
		2071
		2076
		2080
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Independent expenditures and electioneering communications, reporting requirements added	575	3388
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Voter registration online system and use of the Fair Campaign		

	Chapter	Page
Financing Fund for implementing, provisions added	292	1449
	293	1455
Elections Supervisors —		
Allegany County –		
Membership of Board of Elections and filling of vacancies, provisions altered	429	2571
Baltimore City –		
Membership of Board of Elections and filling of vacancies, provisions altered	429	2571
Caroline County –		
Membership, filling of vacancies, and compensation of Board of Elections, provisions altered	305	1508
Charles County –		
Membership of Board of Elections and filling of vacancies, provisions altered	350	1658
	429	2571
Electioneering boundaries at polling places in Carroll and Montgomery counties, provisions altered	344	1633
Frederick County –		
Membership of Board of Elections and filling of vacancies, provisions altered	429	2571
Harford County –		
Membership of Board of Elections and filling of vacancies, provisions altered	35	216
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Washington County –		
Membership, filling of vacancies, and compensation of Board of Elections, provisions altered	247	1112
Electric Companies SEE Utilities		
Electrical Devices SEE Equipment		
Electricians —		
State Board of Master Electricians, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Electrologists —		
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Examination and clinical examination that is required for licensure, approval by State Board of Nursing, provisions added; term of electrologist license extended	107	551
Electronic Commerce —		
See also Electronic Funds Transfer		
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added	500	2955
	501	2968
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it		

	Chapter	Page
performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Electronic health records, incentives for adoption and use by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
Electronic Funds Transfer —		
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Electronic Government —		
Access to public records in a searchable and analyzable electronic format, provisions added	536	3174
Baltimore County –		

	Chapter	Page
Board of Education, development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Composting, posting of educational and promotional information on Department of the Environment Web site, and study and report requirements added	363	1711
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Employers and other payors of payments subject to income tax withholding, submission to Comptroller of annual withholding statement in machine–readable or electronic format, provisions altered	161	734
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Financial Management Information System (FMIS), appropriation for modification	395	2107
		2108
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Informational form that lists and explains the various paths to obtaining teacher tenure and certification in the State, development and posting to Web site by State Department of Education, and provision to military spouse as assistance in finding employment, provisions added	517	3036
	518	3040
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and		

	Chapter	Page
certification of venture firms, provisions added	409	2440
Lottery, sale of traditional lottery games over the Internet, report required	395	1860
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Medicaid eligibility monitoring, updated memorandum of understanding between Departments of Health and Mental Hygiene and Human Resources required; report on new eligibility determination and enrollment systems that are required under federal health care reform, required	395	2092
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Medication technician graduates and those applying for certification renewal, extension of time period for practicing without certification, provisions added; report required on online program for processing certification applications and analysis of Board of Nursing staffing	123	610
Nitrogen–removal technologies for on–site sewage disposal systems, evaluation and ranking by Department of the Environment, provisions added	454	2699
	455	2701
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441	2654
	442	2659
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Retirement Agency, State, notification of former members, retirees, and beneficiaries of the State Retirement and Pension System who are due unclaimed money through		

	Chapter	Page
publication of names of individuals and employers, provisions added	60	276
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Electronic Surveillance —		
See also Wiretapping		
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Community safety surveillance systems, bond funds for	396	2179
Human trafficking added to list of crimes for which evidence may be gathered during a criminal investigation through interception of oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266
Marleigh Community Safety and Surveillance System, previous bond provisions altered	396	2245
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Electronic Transmission SEE Electronic Commerce; Electronic Government		
Emergencies —		
Emergency Management Agency, appropriation to	395	1848
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342

	Chapter	Page
9–1–1 Emergency Number Systems, appropriation for	395	1942
9–1–1 fee on wired lines, use to support the Computer Aided Dispatch/Records Management System project in the Maryland State Police, provisions added	397	2380
Preparedness and Response, Office of, appropriation to	395	1907 2029
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Emergency Medical Services —		
Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, appropriation for	395	1975
Distribution of court costs surcharge for traffic cases to Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, Emergency Medical System Operations Fund, and Volunteer Company Assistance Fund, provisions added	397	2264 2371
Emergency medical services providers, definitions altered for purposes of licensing, certification, and regulation; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Maryland Institute for Emergency Medical Services Systems – Appropriation to	395	1849 2049 2072 2074 2077 2079
Bond funds for communications systems	396	2150
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433 434	2587 2600
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435 436	2612 2628
Emissions SEE Motor Vehicle Inspection; Pollution		
Employee Benefits SEE Work, Labor and Employment		
Employee Organizations SEE Unions		
Employment SEE Work, Labor and Employment		
Energy Assistance SEE Social Services		
Energy Conservation SEE Conservation		
Energy Matters —		
See also Alternative Energy Sources		
Capital leases used to finance energy performance contracts, excluded from tax–supported debt; use by Treasurer authorized; and lease or contractor payments prohibited from		

	Chapter	Page
exceeding certain energy savings	163	738
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electric Vehicles –		
Electric Vehicle Infrastructure Council, Maryland, established; reports required	400	2407
	401	2410
Pilot program for charging electric vehicles, establishment required; report required	403	2417
	404	2419
Recharging equipment, income tax credit provisions added	402	2414
Electricity for all executive branch agencies, funding reduction and allocation schedule, requirement added	395	2094
Energy Administration, appropriation to	395	1838
		2054
		2072
		2073
		2074
		2077
		2078
		2079
Energy Efficiency and Conservation Programs, appropriations for	395	1839
Energy from waste–to–energy (formerly Tier 2) and refuse–derived fuel added as Tier 1 renewable sources, and facilities are eligible for inclusion in meeting the renewable energy portfolio only if connected with the electric distribution grid serving Maryland	519	3044
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
High–performance homes, Department of Housing and Community Development required to encourage the construction of	135	642
Home Energy Programs, Office of, appropriation to	395	1932
		2035
Income Tax Credit –		
Electricity produced from qualified energy resources, requirement that certain qualified waste material be only solid or cellulosic, repealed	565	3359
Purchase of bio–heating oil for space or water heating, definition of bio–heating oil altered	566	3361
Jane E. Lawton Conservation Loan Program, capital appropriation to	395	1839
Low Income Home Energy Assistance Program, report on actions taken in response to a federal report and a State audit of the Family Investment Program, requirement added	395	1932

	Chapter	Page
Net Energy Metering –		
Eligibility extended to customer–generator that uses a closed conduit hydroelectric generating facility	47	247
Net excess generation accrual and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added	405	2421
	406	2427
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Renewable and Clean Energy Programs and Initiatives, appropriation for	395	1840
Residential Electricity Rate Relief Program, appropriation for	395	1839
Small rural electric cooperatives, distribution of funds from a rate relief account established under the Maryland Strategic Energy Investment Fund, requirements altered	18	172
	19	175
Solar energy equipment or residential wind energy equipment for use in certain residential property, sales and use tax exemption for sale of electricity generated by, provisions added	461	2720
	462	2722
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Solar water heating systems, established as a Tier 1 renewable source and eligible for inclusion in meeting the renewable energy portfolio standard; renewable energy credit provisions added	407	2434
	408	2437
Special fund savings from abolishment of State positions and from reductions to electricity expenditures, transfer to the General Fund, provisions added	397	2380
State Agency Loan Program in the Energy Administration, capital appropriation to	395	1839
Strategic Energy Investment Fund –		
Annual report and budget book requirements added	395	2093
Fund proceeds received from sale of Greenhouse Gas Initiative allowances, allocation provisions added	397	2381
Engineers —		
Professional engineers, requirement repealed that licensing examinations be 8 hours long and written	210	955
State Board for Professional Engineers –		
Membership altered	278	1370
	279	1373

	Chapter	Page
Termination date of statutory provisions and regulations extended; evaluation and Board report required	317	1548
State Occupational and Professional Licensing Design Boards' Fund, report required regarding sufficiency of balance	316	1547
English Language SEE Language		
Enterprise Zones —		
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Entertainment SEE Art, Music and Cultural Affairs		
Environment, Department of —		
Appropriation to	395	1998 2062 2071 2073 2074 2076 2077 2078 2079 2081 2095 2132 2139 2140
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale and distribution prohibited	578	3405
Climate change and reduction of greenhouse gas emissions, how revenues from the Strategic Energy Investment Fund are being used to further, report required	395	2000
Composting, posting of educational and promotional information on Web site, and study and report requirements added	363	1711
Construction–related permits requested and issued, report required	395	2095
Lead Risk Reduction in Housing –		
Affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Nitrogen–removal technologies for on–site sewage disposal systems, evaluation and ranking by Department of the Environment, provisions added	454 455	2699 2701
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701

	Chapter	Page
Environmental Matters —		
See also Conservation; Pollution		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered.	112	565
Bay Restoration Fund, use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Chesapeake Bay restoration expenditures and funding, reports and budget book requirements added	395	2093
Climate change and reduction of greenhouse gas emissions, how revenues from the Strategic Energy Investment Fund are being used to further, report required	395	2000
Commercial dishwashing detergents that contain more than a certain amount of phosphorus, prohibition on use, sale, manufacture, or distribution, provisions altered	447	2675
	448	2676
Composting, posting of educational and promotional information on Department of the Environment Web site, and study and report requirements added	363	1711
Decabrominated diphenyl ether, prohibition on manufacturing, leasing, selling, or distributing certain products that contain, provisions altered and exemption added for aircraft and aircraft parts	197	886
	198	888
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226	1049
	227	1050
High–performance homes, Department of Housing and Community Development required to encourage the construction of	135	642
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Nitrogen–removal technologies for on–site sewage disposal systems, evaluation and ranking by Department of the		

	Chapter	Page
Environment, provisions added	454	2699
	455	2701
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Renewable and Clean Energy Programs and Initiatives, appropriation for	395	1840
Environmental Service, Maryland —		
Infrastructure Improvement Fund, previous bond provisions altered	396	2197
		2201
Project reserve funds, Eastern Correctional Institution Steam Turbine Contingency Fund, Department of Natural Resources Project Contingency Fund, and Reimbursable Project Contingency Fund created	397	2293
Environmental Trust —		
Appropriation to	395	1893
Equipment —		
See also Motor Vehicle Equipment		
Allegany County –		
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Amusement Ride Safety Advisory Board, State, membership provisions altered	99	531
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Decabrominated diphenyl ether, prohibition on manufacturing, leasing, selling, or distributing certain products that contain, provisions altered and exemption added for aircraft and aircraft parts	197	886
	198	888
Electric vehicle recharging equipment, income tax credit provisions added	402	2414
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Fishing Equipment –		
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749

	Chapter	Page
Gear regulations, adoption by Department of Natural Resources authorized	577	3402
Revocation of commercial fishing authorization to catch striped bass or crabs under tidal fish license for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Striped bass, penalties for large–scale poaching, provisions added	619	3604
Harford County –		
Sprinkler system requirements for one or two family dwellings constructed as industrialized buildings, date established before which compliance is not required	93	520
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Net energy metering, accrual of net excess generation and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added	405	2421
	406	2427
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing, sale and installation requirements altered; Fire Marshal approval and fee requirements repealed	143	671
Solar water heating systems, established as a Tier 1 renewable source and eligible for inclusion in meeting the renewable energy portfolio standard; renewable energy credit provisions added	407	2434
	408	2437

	Chapter	Page
Text messaging devices, use while driving prohibited, provisions expanded	471	2759
	472	2761
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Erosion SEE Shore Erosion		
Escrow Accounts —		
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Small rural electric cooperatives, distribution of funds from a rate relief account established under the Maryland Strategic Energy Investment Fund, requirements altered	18	172
	19	175
Estates and Trusts —		
Attorney fees, payment without court approval from an estate to attorney representing estate in litigation under contingency fee agreement, provisions added	80	475
Estate tax deferred payment period that is allowed for qualified agricultural property, extension for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094
Immunity from claims of creditors for certain former tenancy by the entirety property that is transferred to trustees of one or more trusts and proceeds of the property, and waiver of immunity, provisions added and altered	522	3120
	523	3123
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions		

	Chapter	Page
added	449	2678
Special needs trusts, supplemental needs trusts, and pooled asset special needs trusts, use by individual with disabilities encouraged; limitation on restrictive regulations and requirements, provisions added	561	3336
	562	3338
Uniform Anatomical Gift Act, Maryland Revised, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Ethics —		
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Ethics Commission, appropriation to	395	1841
		2017
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
St. Mary's County –		

	Chapter	Page
Metropolitan Commission, commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Ethnic Affairs —		
Cultural diversity promotion and enhancement at institutions of higher education, submission deadlines altered for various reports and program plans	52	260
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Eviction —		
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Evidence —		
Human trafficking added to list of crimes for which evidence may be gathered during a criminal investigation through interception of oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Ex–Convicts SEE Ex–Offenders		
Ex–Offenders —		
Firearms, use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered	164	741
	165	744
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224	1043
	225	1046
Parole revocation, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and		

	Chapter	Page
allow a digital photo, requirements added	374	1752
Examinations —		
Certified public accountancy, educational requirements for examination and licensure, provisions altered	208	947
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Electrologists, examination and clinical examination that is required for licensure, approval by State Board of Nursing, provisions added; term of electrologist license extended	107	551
Landscape architects, educational and experience requirements for applicants seeking to take the licensing examination, provisions altered	212	960
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552	3271
	553	3275
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Professional engineers, requirement repealed that licensing examinations be 8 hours long and written	210	955
Risk–based mortgage lender licensee examination schedule, implementation and report requirements added	332	1587
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Excise Tax —		
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Motor vehicle dealer collection of excise tax and remittance to Motor Vehicle Administration, amount permitted to be retained by dealer, provisions altered	397	2371
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Executive Agencies SEE Administrative Agencies; Electronic Government		
Executive Department SEE Governor		
Exemptions —		
Admissions and amusement tax, hot air balloons that are not tethered, county or municipal corporation prohibited from imposing tax on gross receipts from charge for admission to or use of	125	616
Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general	298	1480
	299	1480

	Chapter	Page
Income tax, Maryland Defense Force member eligibility for income tax subtraction modification under the Honorable Louis L. Goldstein Volunteer Police, Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program, provisions added	221	1034
	222	1037
Prince George's County –		
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576
Property Tax –		
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Recordation tax and State transfer tax, exemption for transfer of property to grandparent or stepgrandparent, provisions added	618	3603
Sales and Use Tax –		
Nonprofit food vendor at youth sporting event or 4–H youth event, tax exemption for sales of certain food and drink, provisions added	364	1713
Sale of electricity generated by solar energy equipment or residential wind energy equipment for use in certain residential property, tax exemption provisions added	461	2720
	462	2722

Expenses SEE Reimbursement Rates; Salaries
Extremism SEE Violence

F

Factories SEE Industry and Technology
Fairs —

Agricultural Fair Board, appropriation to	395	1898
St. Mary's County Fairgrounds, previous bond provisions altered	396	2235
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643

Family Investment Program SEE Welfare
Family Law —
See also Adoption; Divorce; Domestic Violence; Foster Care; Support of Dependents

	Chapter	Page
Adoption search, contact, and reunion services, application by director of a local department of social services on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added	326	1571
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Grounds for absolute divorce, provisions for length of time of separation altered	423	2552
	424	2554
Recordation tax and State transfer tax, exemption for transfer of property to grandparent or stepgrandparent, provisions added	618	3603
Single parent services program establishment in each local department of social services, requirement repealed	144	672
Family Planning SEE Birth Control		
Family Therapists SEE Counselors		
Farmers SEE Agriculture		
Farmland —		
See also Agriculture		
Agricultural Land Preservation Foundation, appropriation to	395	1896
Agricultural Land Preservation Program, bond funds for	396	2218
		2222
Agricultural Land Restoration Program, bond funds for	396	2153
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Estate tax deferred payment period that is allowed for qualified agricultural property, extension for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094
Federal Government —		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered.	112	565
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Commercial tidal fish license apprenticeship program, practical experience requirements altered; provision added that program may not be used to obtain a seafood landing license.	86	494

	Chapter	Page
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Federal funds appropriated in operating budget, policies for administration of, established	395	2083
Federal funds, use to accomplish capital projects, requirements added	396	2216
Federal revenues supporting federal fund appropriations, statement in executive budget books and supply of background data to Department of Legislative Services, requirements added	395	2082
Federal subsidies received as a result of the State's prescription drug program, credit to the General Fund, requirements added	397	2379
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded	625	3619
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552	3271
	553	3275
Postretirement Health Benefits Trust Fund, funding from certain federal subsidies, provisions repealed	397	2348
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
State Employees and Retirees Health and Welfare Benefits Fund, funding from certain federal subsidies, provisions repealed	397	2311
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance,		

	Chapter	Page
and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Sustainable Communities Tax Credit Program, eligibility of commercial rehabilitations for which proposed rehabilitation work has begun, provisions altered	133	638
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Fees —		
See also Attorneys' Fees; Development Fees and Taxes		
Academic programs at institutions of postsecondary education, approval by Higher Education Commission, provisions for application fee and distribution of revenue to special fund, added	397	2270
Access to public records in a searchable and analyzable electronic format, provisions added	536	3174
Adoption search, contact, and reunion services, application by director of a local department of social services on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added	326	1571
Allegany County –		
1–day special retail alcoholic beverages license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Entertainment facility alcoholic beverages license for use by video lottery facility and entertainment concessionaire alcoholic beverages license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Architects, issuance of retired status license, provisions added	50	253
Baltimore City –		
Class C beer, wine and liquor license, issuance in 45th district, provisions added; Sunday sales by Class A retail and Class D beer, wine and liquor licensees, provisions altered	296	1474
Baltimore County –		
Alcoholic beverages license fees altered	302	1491

	Chapter	Page
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Birth certificates, fee increased for copy or change; amount of local health department fee transferred to General Fund, increased	397	2281
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Carroll County –		
Liquor tasting license created	329	1581
Cecil County –		
Sunday sales hours for specified alcoholic beverages licensees, extended; exemption from paying additional fee to allow Sunday sales extended to Class EF and C licensees	151	708
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Dental provider contracts, carrier prohibited from requiring dental provider to provide services that are not covered services at a fee set by the carrier	85	491
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Dorchester County –		
Tax sales of property, notice requirements and amount of auctioneer's fee allowed as an expense, provisions altered	328	1579
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Food establishment licensing fees, provisions that establish maximum fee, repealed	397	2290
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance		

	Chapter	Page
restrictions, provisions altered	277	1350
Foster care recipients enrolled at public institutions of higher education, age requirements altered for eligibility for tuition and mandatory fee waivers	159	730
Frederick County –		
Beer, wine and liquor tasting license, provisions added	384	1783
Garrett County –		
Tax sales, auctioneer's fee altered	115	582
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs	6	140
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Howard County –		
Beer, wine and liquor tasting (BWLT) license created; maximum alcohol content of wine that may be served under a beer and wine tasting (BWT) license increased	325	1568
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added	297	1477
Lead risk reduction in housing, affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Montgomery County –		

	Chapter	Page
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Class A (off–sale) beer and light wine licenses, issuance in certain commercial areas in town of Kensington, provisions added	345	1635
Special culinary school alcoholic beverages license, provisions added	347	1641
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224	1043
	225	1046
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Motor Vehicle Administration, definition of miscellaneous fees altered to include half of the certificate of title fee	397	2369
Motor vehicle dealer processing charge, maximum amount permitted, provisions altered	397	2372
Motor vehicle registration and driver's license, Motor Vehicle Administration prohibited from charging Medal of Honor recipient a fee for renewal	413	2518
	414	2519
Motor vehicle registration revenue and other user fees from the Motor Vehicle Administration, deposit in the General Fund, provisions added	397	2380
9–1–1 fee on wired lines, use to support the Computer Aided Dispatch/Records Management System project in the Maryland State Police, provisions added	397	2380
Offenders supervised by Division of Parole and Probation, supervision fee increased	397	2264
Out–of–state attorneys, fee for special admission to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Personalized registration plates, fee increased	397	2371
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Probationer supervision fee, increased	397	2265
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Recordable instruments to be recorded among land records and financing statement records, surcharge increased for a certain period	397	2265
Residential mortgage loans, inclusion of increase in amount of		

	Chapter	Page
escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added..	611	3569
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added.....	38	226
St. Mary's County –		
Special beer festival (BF) license, issuance authorized; approval of time and location of a beer festival, provisions added.....	372	1748
Scale and meter registration fees, maximum fee per business location increased; unspent or unencumbered portion of Weights and Measures Fund at end of the year, required to remain in the fund.....	589	3469
Secondhand precious metal object dealers and pawnbrokers, license and renewal fees increased.....	321	1557
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added.....	315	1543
Smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing, sale and installation requirements altered; Fire Marshal approval and fee requirements repealed.....	143	671
Somerset County –		
Sanitary district water and sewer service, late fee for unpaid usage charges, interest accrual on charge that is in default, and payment of late fees in addition to any other charges before reconnection of water service, provisions added.....	354	1666
Smith Island Solid Waste District, limitations on the amount of the solid waste disposal fee repealed.....	258	1181
Tree expert licenses, application and renewal fees and timetable and procedure for renewal, provisions altered.....	20	177
User fees assessed on hospitals and nursing homes by Health Services Cost Review Commission, cap increased.....	582	3433
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered.....	240	1083
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added.....	592	3480
Special wine festival (WF) license established.....	62	278
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established.....	261	1192
	262	1200

Ferries SEE Boats and Ships

Fertilizers —

Content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators,

	Chapter	Page
and reporting of sales, provisions added and altered	484	2810
	485	2840
Special fund for administering the commercial fertilizer law, transfer of funds to the General Fund	397	2378
Film SEE Motion Pictures		
Financial Aid SEE Scholarships and Student Financial Aid		
Financial Institutions —		
See also Banks and Trust Companies; Credit Unions; Savings and Loan Associations		
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Banking Board, abolished	332	1587
Commissioner of Financial Regulation authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or state law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Financial Regulation, Division of —		
Appropriation to	395	1935
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Foreclosure, documents accompanying an order to docket or complaint to foreclose filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Office of Commissioner of Financial Regulation, termination date of statutory provisions and regulations extended; evaluation required	332	1587
Risk–based mortgage lender licensee examination schedule, implementation and report requirements added	332	1587

	Chapter	Page
Fines —		
See also Penalties and Sentences		
Adverse action by employer against employee who makes complaint, brings an action, or testifies in an action under the Maryland Wage and Hour Law, prohibited	494	2895
	495	2898
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441	2654
	442	2659
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
Work zone speed control fines, distribution to State Police for purchase of replacement vehicles and related equipment, provisions added	397	2367
Fingerprinting —		
See also Criminal Background Investigations		
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added	592	3480
Fire Departments SEE Fire Protection		
Fire Marshal, State SEE Fire Protection		
Fire Protection —		
Carroll County –		
Public facilities bonds, authorized	117	587
Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, appropriation for	395	1975
Distribution of court costs surcharge for traffic cases to Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, Emergency Medical System Operations Fund, and Volunteer Company Assistance Fund,		

	Chapter	Page
provisions added	397	2264
Eastport Fire Station and Paramedic Unit, previous bond provisions altered for the purpose of funding the Annapolis Recreational Center on St. Mary's Street	396	2228
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Elkridge Volunteer Fire Department Station, bond funds for	396	2166
Fire Marshal, appropriation to	395	2013
Fire Prevention Commission, appropriation to	395	2013
Glen Avenue Firehouse, previous bond provisions altered	396	2209
Grants and loans made by the Maryland State Firemen's Association to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Harford County –		
Sprinkler system requirements for one or two family dwellings constructed as industrialized buildings, date established before which compliance is not required	93	520
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added	596	3490
Maryland Fire and Rescue Institute (MFRI), appropriation for	395	1983
Roland Park Fire Station rehabilitation, previous bond provisions altered	396	2241
School bus construction that meets fire safety standards, requirements added; adoption of regulations required	453	2696
Smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing, sale and installation requirements altered; Fire Marshal approval and fee requirements repealed	143	671
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Firearms SEE Guns		
Fiscal Matters SEE Budgets; Revenue and Taxes		
Fish and Fishing —		
See also Aquaculture; Clams; Crabs; Meat, Poultry, Seafood; Oysters		
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Commercial fishing authorization to catch striped bass or crabs under tidal fish license, revocation for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries		

	Chapter	Page
Research and Development Fund, provisions added	512	3009
	513	3012
Commercial tidal fish license apprenticeship program, practical experience requirements altered; provision added that program may not be used to obtain a seafood landing license.	86	494
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Fisheries services, appropriation for	395	1895
		2110
Fishing gear regulations, adoption by Department of Natural Resources authorized	577	3402
National Aquarium in Baltimore –		
Appropriation to	395	1965
Bond funds for	396	2165
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Oysters, illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427	2567
	428	2569
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Striped bass, penalties for large–scale poaching, provisions added	619	3604
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701
Flags —		
Flag to honor and remember members of the armed forces who died in the line of duty and POW/MIA flag, requirements for flying on State House grounds, provisions added and altered.	422	2550
Flammable Products SEE Fire Protection		
Flood Control —		
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Glenbrooke stormwater management pond renovation, bond funds for	396	2176

	Chapter	Page
Food —		
See also Clams; Crabs; Meat, Poultry, Seafood; Oysters		
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Comet Booster Club Concession Stand, bond funds for	396	2186
Food establishment licensing fees, provisions that establish maximum fee, repealed	397	2290
Food quality assurance, appropriation for	395	1897
Food Services Program, appropriation for	395	1963
Jane Lawton Farm–to–School Program, annual report on types and amounts of products purchased from State farms by local schools, requirements added	140	658
Maryland Food Bank, bond funds for	396	2168
		2182
Montgomery County –		
Special culinary school alcoholic beverages license, provisions added	347	1641
Nonprofit food vendor at youth sporting event or 4–H youth event, sales and use tax exemption for sales of certain food and drink, provisions added	364	1713
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
South Bowie Boys and Girls Club concession stand, previous bond provisions altered	396	2240
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
For–Hire Driving —		
Intrastate for–hire vehicles over 26,000 pounds designed to carry property, maintenance of minimum financial responsibility consistent with federal regulations, requirements added	111	563
Foreclosure —		
Documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Limited liability companies, operating agreements, rights of assignees, and rights of members' creditors, provisions altered	597	3492
Lost note affidavit, court acceptance in lieu of a copy of the debt instrument in an action to foreclose on residential property, affidavit content requirements added	477	2775
	478	2780
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation, and		

	Chapter	Page
civil actions by homeowners, provisions clarified	127	619
Notice of intent to foreclose, affidavit accompanying order to docket or complaint to foreclose a mortgage or deed of trust on residential property required to state that contents of notice were accurate at the time it was sent	36	219
	37	222
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Rent payment collection by foreclosure sale purchaser from tenants in possession of foreclosed residential property, restrictions added	245	1106
	246	1109
Foreign Trade —		
International Trade and Investment, Office of, appropriation to	395	1993
Foreign Vessels SEE Boats and Ships		
Foreigners SEE Aliens and Citizenship; Nonresidents		
Forests and Parks —		
Accokeek Foundation, previous bond funds altered	396	2232
Agriculture Activity Center at the Agricultural History Farm Park, previous bond provisions altered to provide funding for Little Bennett Regional Park day use area	396	2234
		2235
Allegany County –		
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Berkshire Neighborhood Park, bond funds for	396	2179
Black Walnut Point Natural Resources Management Area, bond funds for	396	2152
Deep Creek Lake Recreation Maintenance and Management Fund, transfer of funds to the General Fund	397	2378
Forest or Park Reserve Fund –		
Calculation of payments to counties, provisions altered	397	2295
Transfer of funds to the General Fund	397	2376
Forest pest management, appropriation for	395	1899
Forest Service, appropriation to	395	1885
		1886
Fort Frederick State Park, bond funds for	396	2152
Harriet Tubman Underground Railroad State Park, previous bond provisions altered	396	2211
		2217
Jefferson Patterson Park and Museum, bond funds for	396	2151
Little Bennett Regional Park, bond funds for day use area	396	2234
		2235
North County Park, previous bond provisions altered	396	2210
Park Service, appropriation to	395	1885
		1887
Parks and People Headquarters at Auchentoroly Terrace, bond funds for	396	2185
Patapsco Valley State Park, bond funds for	396	2152

	Chapter	Page
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Salisbury City Park, previous bond provisions altered	396	2228
Sandy Point State Park, bond funds for	396	2152
Seneca Park North, bond funds for	396	2178
South Mountain Battlefield, bond funds for	396	2152
Water park at Bohrer Park, bond funds for	396	2179
		2190
Woodland Incentives Fund, name changed to Mel Noland Woodland Incentives Fund; clarification added that fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Fund funds; annual report requirements clarified	330	1582
Forfeiture —		
Bail bonds, requirements for return of forfeited bond or collateral to a surety, provisions altered	598	3503
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Forgery —		
Counterfeit deed or other instrument that is recorded in county land records or filed with the clerk of the circuit court or the register of wills, venue for prosecution of counterfeiting crime expanded	73	390
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Forms —		
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form to be filed and approved, study required	514	3014
	515	3019
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
Informational form that lists and explains the various paths to obtaining teacher tenure and certification in the State, development and posting to Web site by State Department of		

	Chapter	Page
Education, and provision to military spouse as assistance in finding employment, provisions added	517	3036
	518	3040
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Powers of attorney, provisions generally corrected and clarified; durable power of attorney provisions made applicable to all powers of attorney; authority of agent with respect to financial institutions, provisions altered	74	392
	75	425
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Fortunetelling —		
Carroll County –		
Prohibition of fortunetelling, provisions repealed	147	687
Foster Care —		
Adoption search, contact, and reunion services, application by director of a local department of social services on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added	326	1571
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Citizen's Review Board for Children, appropriation to	395	1927
Driver's license application by minor committed to custody or guardianship of local social services department, director of department required to cosign	141	660
Maintenance Payments –		
Accounting system and reporting requirements	395	2087
Appropriation for	395	1929
		2034
Tuition and mandatory fee waivers for foster care recipients enrolled at public institutions of higher education, eligibility age requirements altered	159	730

	Chapter	Page
Fraud —		
See also Forgery		
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Identity fraud, assuming the identity of a fictitious person for certain purposes, prohibited	70	384
	71	385
Medicaid Fraud Control Unit in the Office of the Attorney General, appropriation to	395	1834
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Pharmacy benefit managers, recoupment of claims payment based on a minor error, prohibited; recoupment of claims overpayments and payment of discovered underpayment, provisions clarified	568	3365
	569	3371
Frederick County —		
Beer, wine and liquor tasting license, provisions added	384	1783
Elections, Board of, membership altered and provisions for filling vacancies altered	429	2571
Property tax setoff, grant to municipal corporations, provisions extended to fiscal year 2013	542	3232
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
State Bonds –		
Cultural Arts Center in Frederick	396	2174
		2187
Fort Frederick State Park	396	2152
Frederick Alliance for Youth – Youth and Community Center	396	2175
		2187
Maryland School for the Deaf –		
Frederick Campus, Elementary, Family Education, and Student Support Services Complex, previous bond provisions altered	396	2202
Frederick Campus, fire alarm and emergency notification system	396	2158
Mount St. Mary's University, Bradley Hall	396	2164
Weinberg Center for the Arts	396	2175
		2188
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Winery special event permits for use at certain farmers' markets in Frederick County by a Class 4 Maryland limited winery, provisions added	294	1461
Freedom of Assembly, Religion, Speech or the Press SEE Human Rights		
Freedom of Information SEE Public Information		
Fuel —		
Bio–fuels that are required to be used in a percentage of		

	Chapter	Page
State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Energy from waste–to–energy (formerly Tier 2) and refuse–derived fuel added as Tier 1 renewable sources, and facilities are eligible for inclusion in meeting the renewable energy portfolio only if connected with the electric distribution grid serving Maryland	519	3044
Income tax credit for purchase of bio–heating oil for space or water heating, definition of bio–heating oil altered	566	3361
Motor fuel advertising signs at retail service stations, requirements altered	25	189
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Fuel Tax —		
Distribution of motor fuel tax revenue, provisions altered	397	2354
Personal liability of certain members of limited liability companies and partners of limited liability partnerships for payment of motor fuel tax, interest, and penalties, provisions added	31	206
Funerals —		
See also Cemeteries		
Picketing activities at a funeral, burial, memorial service, or funeral procession, distance increased within which activities prohibited	570	3377
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628

G

Gambling SEE Gaming		
Gaming —		
See also Bingo; Lottery		
Allegany County –		
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Anne Arundel County –		
Entertainment facility alcoholic beverages license for use by video lottery facility and entertainment concessionaire alcoholic beverages license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Electronic bingo and tip jar machines, impact grants to Anne Arundel County and Calvert County, provisions added	397	2353
Problem Gambling Fund, allocation of funds to local health		

	Chapter	Page
departments for problem gambling services and treatment and establishment of a network of clinically appropriate services for problem gamblers and a hotline for compulsive and problem gamblers, report required	395	1909
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added	232	1068
	233	1070
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Video lottery terminal local impact grants, appropriation for	395	1936
Video lottery terminal operations, appropriation for	395	1861
		2024
Gangs —		
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Garbage SEE Refuse Disposal		
Garnishments SEE Attachments and Garnishments		
Garrett County —		
County Commissioner, procedure for filling vacancy in office, provisions altered	440	2652
State bonds, HART Animal Adoption Center	396	2175
Tax sales, auctioneer's fee altered	115	582
Tri–County Council for Western Maryland, membership altered and executive committee established	310	1529
Gas SEE Fuel		
Gas Companies SEE Utilities		
Gas Stations SEE Service Stations		
Gasoline SEE Fuel		
Gasoline Tax SEE Fuel Tax		
General Assembly —		
Appropriation to	395	1826
		2070

	Chapter	Page
		2075
		2080
Baltimore City –		
Board of School Commissioners, annual report requirement repealed	319	1553
Delegate Scholarships, appropriation for	395	1975
		2127
General Assembly Salary Commission, Governor's Salary Commission, and Judicial Compensation Commission reports, required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Lowe House Office Building –		
Bond funds for	396	2148
Previous bond provisions altered	396	2210
		2214
Senatorial Scholarships, appropriation for	395	1975
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
General Construction Loan SEE Capital Budgets		
General Services, Department of —		
Appropriation to	395	1870
		2057
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2139
Housing and Community Development Department headquarters relocation from Crownsville to undetermined location in Prince George's County, report required	395	1987
Program Open Space –		
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Use of State share of funding for administration expenses, provisions altered	397	2297
Geological Survey, Maryland —		
Appropriation to	395	1893
Gifts —		
Allegany County –		
1–day special retail alcoholic beverages license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Charlotte Hall Veterans Home, authority to accept and spend certain gifts and grants, provisions added; reports required	199	891

	Chapter	Page
	200	893
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Frederick County –		
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Prince George's County –		
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Private Donation Incentive Grants, appropriation for	395	1976
Global Positioning Systems SEE Electronic Surveillance		
Gold SEE Precious Metals and Stones		
Government SEE Administrative Agencies; Electronic Government; Federal Government		
Governor —		
Appropriation to	395	1838 2017 2048 2053 2071 2074 2075 2079 2080
Governor's Salary Commission, Judicial Compensation Commission, and General Assembly Salary Commission reports, required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered	623	3613
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
Graffiti SEE Vandalism		
Grand Juries —		
Baltimore City –		
Grand jury required to carry out an investigation if directed to do so by a judge of the circuit court	234	1072
Grants —		
See also State Aid		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered.	112	565
African American History and Culture, Commission on, membership and duties, provisions altered	162	736
Bay Restoration Fund, use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal		

	Chapter	Page
systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Charlotte Hall Veterans Home, authority to accept and spend certain gifts and grants, provisions added; reports required	199	891
	200	893
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
College Access Challenge Grant Program, appropriation for grant to	395	1974
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Disparity Grants to Counties – Appropriation for	395	1826
		1959
Calculation, provisions altered	397	2259
		2390
Educational grants to the State's four historically black institutions, report required on how grant funds will be spent	395	1974
Electronic bingo and tip jar machines, impact grants to Anne Arundel County and Calvert County, provisions added	397	2353
Governor's Grants Office, appropriation to	395	1841
Governor's Workforce Investment Board, study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Grants Management Office in the Department of Human Resources, appropriation to	395	1927
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
Health Personnel Shortage Incentive Grant Program, appropriation for	395	1976
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
Maryland State Firemen's Association grants and loans to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Part–time Grant Program, appropriation for	395	1976
Private Donation Incentive Grants, appropriation for	395	1976
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance		

	Chapter	Page
programs and tax credits and State funding for school construction	303	1498
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Resource conservation grants, appropriation for	395	1901
		2111
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Transportation capital grants to local governments, appropriation for	395	2108
Transportation operating grants–in–aid, appropriation for	395	1877
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Video lottery terminal local impact grants, appropriation for	395	1936
Workforce Development and Adult Learning grants, appropriation for	395	2119
Ground Rents SEE Leases and Rent		
Group Homes —		
See also Assisted Living		
The Arc of Howard County, bond funds for Graeloch home renovation	396	2188
My Sister's Keeper group homes, bond funds for	396	2180
		2191
Recovery homes, Department of Health and Mental Hygiene required to identify standards for best practices and report findings	255	1176
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Guidance Counselors SEE Teachers		
Guns —		
Junior deer hunt, establishment required	120	600
Removal or alteration of identification mark or number on a firearm, misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Use of firearms in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered	164	741
	165	744

	Chapter	Page
H		
Hall of Records SEE Archives		
Handguns SEE Guns		
Handicapped Persons SEE Blind Persons; Deaf Persons; Disabilities		
Harassment —		
Maximum penalty increased for second or subsequent offense	342	1628
Picketing activities at a funeral, burial, memorial service, or funeral procession, distance increased within which activities prohibited	570	3377
Private school policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged.....	486	2870
	487	2875
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added; regulations required.....	232	1068
	233	1070
Harford County —		
Alcoholic Beverages –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs .	6	140
Board of Elections, membership and filling of vacancies, provisions altered.....	35	216
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
Sprinkler system requirements for one or two family dwellings constructed as industrialized buildings, date established before which compliance is not required.....	93	520
State Bonds –		
Broad Creek Maryland Boy Scouts of America Ecology Conservation Learning Center.....	396	2181
Harford Community College, Susquehanna Center, previous bond provisions altered	396	2213
		2219
Hawkers SEE Transient Merchants		
Hazardous and Toxic Substances —		
See also Radiation		
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on		

	Chapter	Page
federal research and activities	189	864
	190	867
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale and distribution prohibited	578	3405
Commercial dishwashing detergents that contain more than a certain amount of phosphorus, prohibition on use, sale, manufacture, or distribution, provisions altered	447	2675
	448	2676
Decabrominated diphenyl ether, prohibition on manufacturing, leasing, selling, or distributing certain products that contain, provisions altered and exemption added for aircraft and aircraft parts	197	886
	198	888
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Lead Risk Reduction in Housing –		
Affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Mold Remediation Services Act, Maryland, termination date extended and evaluation required	333	1596
Health —		
See also Mental Health		
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Baltimore City –		
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Carroll County –		

	Chapter	Page
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered.....	602	3532
Children's Health Program, appropriation to	395	1924
		2033
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale and distribution prohibited.....	578	3405
Community Health Resources Commission, appropriation to	395	1926
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added.....	242	1096
	243	1100
County health officer authorized to enter into written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, or otherwise deliver health care services in the State.....	235	1073
	236	1075
Disease prevention and control, appropriation for	395	1907
		2028
Family Health Administration, appropriation to	395	1906
		2028
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Health Care Access and Cost Commission, appropriation for	395	2059
Health Care Alternative Dispute Resolution Office, appropriation to.....	395	1841
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Health Care Quality, Office of, appropriation to	395	1904
Health Care Reform project, appropriation for; reports required.	395	1866
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Incentives for adoption and use of electronic health records by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required.....	532	3146
	533	3152
Infectious Disease and Environmental Health Administration, appropriation to.....	395	1905

	Chapter	Page
		2028
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of health insurance products that may be sold in conjunction with a life insurance policy and report, required	41	236
	42	238
Local health department review process, report required on progress in implementing	395	1906
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552	3271
	553	3275
Percutaneous coronary intervention (PCI), establishing a program or providing services in a hospital, restrictions added; report required on statutory changes needed for appropriate oversight of PCI services	616	3598
Preparedness and Response, Office of, appropriation to	395	1907
		2029
Public Health Services –		
Appropriation for	395	1906
Deputy Secretary for, appropriation to	395	1905
		2027
		2058
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
System to comparatively evaluate the quality of care and performance of all categories of health benefit plans and annual publication of evaluation summary, requirements added	11	154
Testing requirements for determining whether to restrict or lift		

	Chapter	Page
restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Health and Mental Hygiene, Department of —		
Adoption of policies that will provide a certain amount from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program, provisions added	397	2381
Appropriation to	395	1903
		2027
		2058
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2091
		2092
		2136
		2139
		2140
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Certificate of foreign birth for individual born in a foreign country who was adopted under the laws of a foreign jurisdiction and granted an IH–3 visa, provisions added	463	2723
	464	2725
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Earnings limitation for retired State employees, exemption for those reemployed by Department of Health and Mental		

	Chapter	Page
Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long term exemption repealed	615	3596
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Health Care Reform project, appropriation for; report required	395	1866
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Human trafficking resource information, distribution to certain local school supervisors and to students, parents, counselors and school personnel, requirements added	137	654
Local health department review process, report required on progress in implementing	395	1906
Long–term care eligibility determinations under Medicaid, report on development of streamlined process and progress reports on improving timeliness of eligibility determinations, requirements added	395	1919
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Medicaid eligibility monitoring, updated memorandum of understanding with Department of Human Resources required; report on new eligibility determination and enrollment systems that are required under federal health care reform, required	395	2092
Medicaid program funding, cost drivers, expenditure reduction, and expenditure growth reduction, workgroup and report required	395	1903
Medical care provider reimbursements, accounting system and reporting requirements	395	2087
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433 434	2587 2600
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552 553	3271 3275
Prescription Drug Monitoring Program and technical advisory		

	Chapter	Page
committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Problem Gambling Fund, allocation of funds to local health departments for problem gambling services and treatment and establishment of a network of clinically appropriate services for problem gamblers and a hotline for compulsive and problem gamblers, report required	395	1909
Qualified State Long–Term Care Insurance Partnership Program, reporting requirements altered	8	149
	9	151
Recovery homes, identification of standards for best practices and report of findings, requirements added	255	1176
State–run psychiatric hospital capacity, independent study of factors for determining the future need for, appropriation for; report required	395	1911
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Health Care SEE Health		
Health Care Commission —		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Appropriation to	395	1925
Certificate of need requirements for closure or partial closure of health care facilities other than hospitals, provisions added	176	836
Fund, transfer of funds to the General Fund	397	2376
		2378
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Incentives for adoption and use of electronic health records by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Percutaneous coronary intervention (PCI), establishing a program or providing services in a hospital, restrictions added; report required on statutory changes needed for appropriate oversight of PCI services	616	3598
System to comparatively evaluate the quality of care and performance of all categories of health benefit plans and annual publication of evaluation summary, requirements		

	Chapter	Page
added	11	154
Health Care Facilities —		
See also Clinics; Hospices; Hospitals; Nursing Homes; State Hospitals		
Certificate of need requirements for closure or partial closure of health care facilities other than hospitals, provisions added	176	836
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456	2703
	457	2708
Developmental disabilities, State facilities for persons with developmental disabilities, appropriations for various	395	1918
		2031
Federally Qualified Health Centers, bond funds for	396	2154
Greater Baden Medical Services Facility, bond funds for	396	2174
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Health and Mental Hygiene Department employees employed at a facility scheduled to be closed, retention bonuses, provisions added	397	2386
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Kennedy Krieger Institute, bond funds for Comprehensive Autism Center	396	2163
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Mental Hygiene Administration facilities that have been closed, provisions of law relating to, repealed	122	604
Pathways Alcohol and Drug Treatment Center at the Anne Arundel Medical Center, bond funds for	396	2166
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Podiatric Medical Examiners, State Board of, unannounced inspections of offices of certain podiatrists against whom a complaint has been filed regarding violation of guidelines on universal precautions, requirements added	180	849

	Chapter	Page
	181	850
Psychologist, definition altered for purposes of certain provisions of law regarding admissions to mental health facilities	63	280
Reece Road Community Health Center, bond funds for	396	2166
St. Ann's Infant and Maternity Home, bond funds for	396	2165
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579
Health Insurance —		
See also Health Maintenance Organizations		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Company action level event for health insurers, definition of occurrence for purposes of oversight by Insurance Administration, provisions added	13	162
Dental provider contracts, carrier prohibited from requiring dental provider to provide services that are not covered services at a fee set by the carrier	85	491
Disability insurance policies that contain a clause that reserves sole discretion to carrier to interpret terms of policy or provides standards of interpretation or review that are inconsistent with State laws, carriers prohibited from selling, delivering, or issuing	155	716
Eye drop prescription refills, health insurance coverage, provisions added	524	3126
	525	3128
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158

	Chapter	Page
	535	3166
Hearing aid benefit, insured allowed to choose a hearing aid that is priced higher than the policy benefit limit and pay the cost difference	526	3130
	527	3132
Incentives for adoption and use of electronic health records by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Information about the Maryland Medical Assistance Program and Children's Health Program, authority of licensed insurance producers to provide to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of health insurance products that may be sold in conjunction with a life insurance policy and report, required	41	236
	42	238
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland Health Insurance Plan, appropriation for	395	1851
		2023
		2072
		2077
Maryland Health Insurance Plan Fund –		
Transfer of funds from Senior Prescription Drug Assistance Program account to the Kidney Disease Program, provisions added	397	2380
Transfer of funds from Senior Prescription Drug Assistance Program account to the Medical Assistance Program, provisions added	397	2380
Mechanism for identifying hospital rate adjustments and assessments as components to be considered in reviewing and approving health insurance premium rates, Insurance Administration report required	395	1853
Nonprofit health insurance plans that are exempt from premium tax, subsidy of Kidney Disease Program and Community Health Resources Commission, provisions altered	397	2291
Pharmacy benefit managers, recoupment of claims payment based on a minor error, prohibited; recoupment of claims overpayments and payment of discovered underpayment, provisions clarified	568	3365
	569	3371
Postretirement Health Benefits Trust Fund, funding from certain federal subsidies, provisions repealed	397	2348
Qualified State Long–Term Care Insurance Partnership Program, reporting requirements altered	8	149
	9	151

	Chapter	Page
Reemployment earnings offset of retirees of State Retirement and Pension System, reduction prohibited from exceeding an amount that would reduce retiree's allowance to less than what is required to pay retiree's monthly medical insurance premiums	136	644
Self–employed individuals and sole proprietors, provisions for exclusion from small group insurance market, termination date extended	104	546
Senior Prescription Drug Assistance Program Account of the Maryland Health Insurance Plan Fund, transfer of funds to the General Fund	397	2377
State Employee and Retiree Health and Welfare Benefits Fund, funding from certain federal subsidies, provisions repealed	397	2311
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
State Employee and Retiree Health Insurance –		
Reduction of appropriations for, provisions added	395	2065 2070 2075
Transfer of appropriations for costs between State agencies, restrictions on use of funds, and accounting detail, provisions added	395	2064
State employees' and retirees' health plan, appendix to the budget books required to provide an accounting of associated revenues and expenditures	395	2090
State retiree health insurance benefit option and prescription drug benefit, eligibility and State subsidy amount, provisions altered	397	2304
System to comparatively evaluate the quality of care and performance of all categories of health benefit plans and annual publication of evaluation summary, requirements added	11	154
Health Maintenance Organizations —		
See also Health Insurance		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425 426	2556 2561
Dental provider contracts, carrier prohibited from requiring dental provider to provide services that are not covered services at a fee set by the carrier	85	491
Eye drop prescription refills, health insurance coverage, provisions added	524 525	3126 3128
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528 529	3135 3138
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78

	Chapter	Page
	4	108
Health insurance for self–employed individuals and sole proprietors, provisions for exclusion from small group insurance market, termination date extended	104	546
Hearing aid benefit, insured allowed to choose a hearing aid that is priced higher than the policy benefit limit and pay the cost difference	526	3130
	527	3132
Incentives for adoption and use of electronic health records by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
System to comparatively evaluate the quality of care and performance of all categories of health benefit plans and annual publication of evaluation summary, requirements added	11	154
Health Occupations —		
See also specific health occupations		
Adjutant General required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
County health officer authorized to enter into written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, or otherwise deliver health care services in the State	235	1073
	236	1075
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Dental provider contracts, carrier prohibited from requiring dental provider to provide services that are not covered services at a fee set by the carrier	85	491
Dentists and dental hygienists, temporary volunteer licenses and temporary dental clinic permits, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925

	Chapter	Page
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Earnings limitation for retired State employees, exemption for those reemployed by Department of Health and Mental Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long term exemption repealed	615	3596
Electrologists, examination and clinical examination that is required for licensure, approval by State Board of Nursing, provisions added; term of electrologist license extended	107	551
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Emergency medical services providers, definitions altered for purposes of licensing, certification, and regulation; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Health Personnel Shortage Incentive Grant Program, appropriation for	395	1976
Health professionals boards and commissions, appropriation for	395	1904
		2111
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Incentives for adoption and use of electronic health records by		

	Chapter	Page
health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Medical Care Provider Reimbursements –		
Accounting system and reporting requirements	395	2087
Appropriation for	395	1921
		2032
		2113
		2137
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Medication technician graduates and those applying for certification renewal, extension of time period for practicing without certification, provisions added; report required on online program for processing certification applications and analysis of Board of Nursing staffing	123	610
Nursing, Board of, appropriation to	395	1905
Nursing Home Administrators, State Board of Examiners of, termination date of statutory provisions and regulations, extended; membership altered; evaluation and report required	24	184
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Pharmacy benefit managers, recoupment of claims payment based on a minor error, prohibited; recoupment of claims overpayments and payment of discovered underpayment, provisions clarified	568	3365
	569	3371
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441	2654
	442	2659
Physicians, State Board of, appropriation to	395	1905

	Chapter	Page
Podiatric Medical Examiners, State Board of –		
Termination date of statutory provisions and regulations extended; evaluation required; report required from Board	419	2537
Unannounced inspections of offices of certain podiatrists against whom a complaint has been filed regarding violation of guidelines on universal precautions, requirements added	180	849
	181	850
Polysomnographic technologists, deadline extended for licensure and for fulfilling requirements for waiver of education requirement for licensure	267	1230
	268	1242
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Professional counselors and therapists, authorization of home study courses towards completion of continuing education requirements, prohibition repealed	480	2786
	481	2787
Psychologist, definition altered for purposes of certain provisions of law regarding admissions to mental health facilities	63	280
Psychologists, State Board of Examiners of, termination date of statutory provisions and regulations extended; evaluation required; reports required	574	3385
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Health Planning and Cost Review —		
Certificate of need requirements for closure or partial closure of health care facilities other than hospitals, provisions added	176	836
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Health Care Access and Cost Commission, appropriation for	395	2059
Percutaneous coronary intervention (PCI), establishing a program or providing services in a hospital, restrictions added; report required on statutory changes needed for appropriate oversight of PCI services	616	3598

	Chapter	Page
System to comparatively evaluate the quality of care and performance of all categories of health benefit plans and annual publication of evaluation summary, requirements added	11	154
Health Savings Accounts SEE Health Insurance		
Health Services Cost Review Commission —		
Adoption of policies that will provide a certain amount from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program, provisions added	397	2381
Appropriation to	395	1925
		2059
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Hospital assessment for savings in averted uncompensated care, comparable assessment for publicly owned specialty hospitals that will be used for Medicaid program, provisions added; amount requirements and report on reduction in hospital uncompensated care, provisions altered	397	2286
		2289
Hospital assessments and remittances to support Medicaid program operations, provisions added	397	2381
User fees assessed on hospitals and nursing homes, cap increased	582	3433
Hearing Aids —		
Health insurance benefit, insured allowed to choose a hearing aid that is priced higher than the policy benefit limit and pay the cost difference	526	3130
	527	3132
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Hearings —		
Baltimore City –		
Administrative adjustments to certain local zoning ordinance requirements, provisions added	444	2664
Baltimore County Board of Education, Task Force on the Membership and Operation of the, established; report required	459	2715
	460	2718
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Certificate of need requirements for closure or partial closure of health care facilities other than hospitals, provisions added	176	836
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Commercial fishing authorization to catch striped bass or crabs		

	Chapter	Page
under tidal fish license, revocation for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Correctional officers' bill of rights for local correctional facilities, made applicable to St. Mary's County and definition of "correctional officer" altered	128	628
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Montgomery County –		
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Oysters, illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427	2567
	428	2569
Peace orders, extension of term of final order, provisions added	57	272
	58	273

	Chapter	Page
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Prince George's County –		
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Heating and Cooling —		
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Solar water heating systems, established as a Tier 1 renewable source and eligible for inclusion in meeting the renewable energy portfolio standard; renewable energy credit provisions added	407	2434
	408	2437
Helicopters SEE Aircraft		

	Chapter	Page
High Voltage Lines —		
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Higher Education —		
See also Community Colleges; State Universities and Colleges		
Academic programs at institutions of postsecondary education, approval by Higher Education Commission, provisions for application fee and distribution of revenue to special fund, added	397	2270
Baltimore International College, previous bond provisions altered	396	2205
Capitol College, previous bond provisions altered	396	2205
College Access Challenge Grant Program, appropriation for grant to	395	1974
College Prep/Intervention Program, appropriation for	395	1973
Columbia Union College, previous bond provisions altered	396	2199
Complete College Maryland, appropriation for grant to	395	1974
Cultural diversity promotion and enhancement at institutions of higher education, submission deadlines altered for various reports and program plans	52	260
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
Fee for special admission of out–of–state attorneys to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Harry Hughes Center for Agro–Ecology, appropriation for grant to	395	1974
Hospitals or institutions of higher education that receive at least $500,000 in State bond funding, required to submit report on use of minority business contracts and outreach efforts	396	2194
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Interstate Educational Compacts in Optometry, appropriation		

	Chapter	Page
for grants to	395	1974
Janet L. Hoffman Loan Assistance Repayment Program, appropriation for	395	1976
Johns Hopkins University, bond funds for the Brody Learning Commons on the Homewood Campus	396	2163
Joseph A. Sellinger formula for aid to nonpublic institutions of higher education, appropriation for	395	1973
Maryland Institute College of Art, bond funds for the Studio Center	396	2163
Montgomery County –		
Special culinary school alcoholic beverages license, provisions added	347	1641
Mount St. Mary's University, bond funds for Bradley Hall	396	2164
Need–Based Student Financial Assistance Fund, created	397	2277
Nonpublic institutions of higher education, computation of State aid to, provisions altered	397	2276
OCR (Office of Civil Rights) Enhancement Fund, appropriation for grant to	395	1974
Physicians Loan Assistance Repayment Program, appropriation for	395	1976
Private Donation Incentive Grants, appropriation for	395	1976
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
Regional Higher Education Centers, appropriation for grants to.	395	1974
Sojourner–Douglass College, previous bond provisions altered	396	2199
Southern Maryland Higher Education Center, bond funds for classroom and Engineering Laboratory Building	396	2167
Southern Maryland Higher Education Council, established; reports required	622	3610
Stevenson University, previous bond provisions altered	396	2244
Teachers at correctional facilities and certain juvenile facilities, income tax credit for tuition costs for graduate level courses required to maintain certification, provisions added	490	2883
Walter Sondheim Jr. Public Service Summer Internship Scholarship Program, types of eligible students expanded to include a student who assists in providing legal services in a public service position	340	1621
Washington Center for Internships and Academic Seminars, appropriation for	395	2127
Washington College, bond funds for the Clifton M. Miller Library	396	2164
Higher Education Commission —		
Appropriation to	395	1972
		2040
		2061
		2071
		2073
		2074
		2076
		2077
		2078
		2079
		2081

	Chapter	Page
		2139
Approval of academic programs at institutions of postsecondary education, application fee and distribution of revenue to special fund, provisions added	397	2270
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Cultural diversity promotion and enhancement at institutions of higher education, submission deadlines altered for various reports and program plans	52	260
Educational grants to the State's four historically black institutions, report required on how grant funds will be spent	395	1974
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Reimbursement of certain community college student out–of–county fees by Higher Education Commission to community college and by community college to certain students, provisions altered	397	2273
Supplemental retirement plans established by State universities and colleges or the Higher Education Commission for employees and community colleges, methods for making employee contributions to accounts, provisions altered	337	1614
Highway Administration, State —		
Appropriation to	395	1880
		2049
		2095
Construction–related permits requested and issued, report required	395	2095
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213	963
	214	967
Outdoor sign along or near scenic byway located on federal–aid primary highway, State Highway Administration prohibited from issuing permit for	318	1551
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730

	Chapter	Page
	467	2735
Highways —		
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Frederick County –		
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Gasoline and Motor Vehicle Revenue Account, distribution provisions altered	397	2364
Highway Safety Operating Program, appropriation for	395	1881
Highway User Revenues –		
Amount of distributions to counties and municipalities, provisions altered	397	2366
Distribution to counties and municipalities, appropriation for	395	1881 2109
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Intercounty Connector –		
Bond funds for	396	2162
Funding provisions altered	397	2361
Liberty Road Corridor, bond funds for infrastructure improvements	396	2165
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213 214	963 967
Outdoor sign along or near scenic byway located on federal–aid primary highway, State Highway Administration prohibited from issuing permit for	318	1551
Prince George's County –		
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466 467	2730 2735
Historic Preservation SEE Historical Matters		
Historical Matters —		
African American Heritage Preservation Program, bond funds for	396	2151
African American History and Culture, Commission on, membership and duties, provisions altered	162	736
Agriculture Activity Center at the Agricultural History Farm Park, previous bond provisions altered to provide funding for		

	Chapter	Page
Little Bennett Regional Park day use area	396	2234 2235
Allegany Museum, bond funds for	396	2168 2182
Battle of Bladensburg Visitor Center and Monument, bond funds for	396	2179
Carroll Mansion Museum, previous bond provisions altered	396	2229
Charles Carroll House, bond funds for	396	2169
Chesapeake Bay Maritime Museum, bond funds for bulkhead replacement	396	2181
Choptank River Lighthouse replica, bond funds for	396	2174 2187
Damascus Heritage Museum, previous bond provisions altered	396	2235
Exploration of Captain John Smith Exhibit, previous bond provisions altered	396	2239
Former Ellicott City Post Office, bond funds for	396	2175
Gaithersburg Community Museum, previous bond provisions altered	396	2239
Garrett–Jacobs Mansion, bond funds for performance hall	396	2170
Harriet Tubman Underground Railroad State Park, previous bond provisions altered	396	2211 2217
Heritage Areas Authority, use of Program Open Space funds to pay operating expenses in fiscal 2012, provisions added	397	2281
Historic Annapolis Foundation, appropriation for grant to	395	1837
Historic Diamond Press Building, bond funds for	396	2184
Historic preservation, capital appropriation for	395	1847
Historic St. Mary's City Commission, appropriation to	395	1842 2071 2072 2075 2077 2080
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482 483	2789 2800
Maryland Historical Society –		
Appropriation to	395	1965
Bond funds for	396	2168
Mount Pleasant Farm House, bond funds for	396	2175 2188
Mount Vernon Place Conservancy, bond funds for Washington Monument and historic masonry renovation	396	2185
Olney Boys and Girls Community Park, bond funds for "Falling Green"	396	2189
Poole's Store, bond funds for	396	2178
Preservation services, appropriation for	395	1847
St. John's archaeological site exhibit, previous bond provisions altered	396	2201
Sotterley Foundation, appropriation to	395	1965
Star–Spangled Banner Flag House, bond funds for	396	2172
Sustainable Communities Tax Credit Program –		

	Chapter	Page
Appropriation for	395	1847 2022
Eligibility of commercial rehabilitations for which proposed rehabilitation work has begun, provisions altered	133	638
Maximum fee for administrative costs, provisions altered; use of reserve fund to pay administrative costs if fees are inadequate; special provisions for high performance buildings and qualified rehabilitated structures, applicable only to commercial rehabilitations	383	1777
Teackle Mansion and the Sara Martin Done House, bond funds for	396	2181
Todd's Inheritance, bond funds for	396	2173
Warner Manor –		
Bond funds for	396	2178
Previous bond provisions altered	396	2245
William Paca House, previous bond provisions altered	396	2246
Holidays and Special Dates —		
Flag to honor and remember members of the armed forces who died in the line of duty and POW/MIA flag, requirements for flying on State House grounds, provisions added and altered	422	2550
Martin Luther King, Jr., holiday, planning, coordinating, and implementing State's annual official observance removed as duty of Commission on African American History and Culture	162	736
Home Appliances SEE Equipment		
Home Builders SEE Contractors		
Home Care Services —		
Collective bargaining rights for certain independent home care providers, provisions added	171	801
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433 434	2587 2600
Home Finance SEE Housing; Mortgages		
Home Health Care SEE Home Care Services		
Home Improvement —		
Commission and Maryland Mold Remediation Services Act, termination dates extended; evaluations and Commission report required	333	1596
Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; reports required regarding Guaranty Fund, licensing levels and performance bond; licensing deadline for mold remediation services extended	333	1596
Home Solicitation or Sales SEE Consumer Protection; Solicitation		
Homeland Security SEE Safety		
Homeless Persons SEE Indigent Persons		
Homeowners Associations —		
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing		

	Chapter	Page
interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Disputes between lot owners and governing body over election procedures, submission to Consumer Protection Division of the Office of the Attorney General, provisions added	491	2884
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Homeowners Insurance SEE Insurance; Real Property		
Homosexuality SEE Sexual Orientation		
Horizontal Property Act SEE Condominiums		
Horse Industry Board —		
Appropriation to	395	1897
Horses SEE Animals; Racing		
Hospices —		
Dr. Bob's Place, a hospice for children, bond funds for	396	2170
Hospice of Queen Anne's, previous bond provisions altered	396	2245
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Talbot Hospice, bond funds for	396	2181
Hospitals —		
See also State Hospitals		
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Dorchester General Hospital, bond funds for	396	2167
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Hospital assessment for savings in averted uncompensated care, comparable assessment for publicly owned specialty hospitals that will be used for Medicaid program, provisions added; amount requirements and report on reduction in hospital uncompensated care, provisions altered	397	2286

	Chapter	Page
		2289
Hospital assessments and remittances to support Medicaid program operations, provisions added	397	2381
Hospitals or institutions of higher education that receive at least $500,000 in State bond funding, required to submit report on use of minority business contracts and outreach efforts	396	2194
Johns Hopkins Medicine, bond funds for Cardiovascular and Critical Care Tower	396	2162
Maryland General Hospital, bond funds for	396	2167
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Mercy Medical Center, bond funds for	396	2167
Percutaneous coronary intervention (PCI), establishing a program or providing services in a hospital, restrictions added; report required on statutory changes needed for appropriate oversight of PCI services	616	3598
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Prince George's County Health System, appropriation for	395	2015
Prince George's County Hospital System, bond funds for; report required	396	2164
Prince George's Hospital, appropriation for	395	2015
Sinai Hospital, bond funds for	396	2165
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
University of Maryland Medical System, bond funds for trauma, critical care, and emergency medicine services expansion project	396	2159
User fees assessed on hospitals and nursing homes by Health Services Cost Review Commission, cap increased	582	3433
Hotels and Motels —		
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Howard County –		
Hotel room rental sales and use tax, maximum authorized rate increased; allocation of revenue, provisions altered	139	657
House of Delegates SEE General Assembly		
Housing —		
See also Apartments; Condominiums; Mobile Homes		
Charles E. Smith Life Communities, bond funds for	396	2162
Chesapeake Grove – Senior Housing and Intergenerational Center, bond funds for	396	2174

	Chapter	Page
Chesterwye Center, bond funds for Jessie's House	396	2180
Clay Street development, bond funds for	396	2183
Dayspring Square facility, bond funds for	396	2184
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Foreclosure sales, rent payment collection by foreclosure sale purchaser from tenants in possession of foreclosed residential property, restrictions added	245	1106
	246	1109
Habitat for Humanity, local property tax credit provisions altered	130	634
Habitat for Humanity of the Chesapeake, bond funds for homes in Baltimore City	396	2184
Harford County –		
Sprinkler system requirements for one or two family dwellings constructed as industrialized buildings, date established before which compliance is not required	93	520
High–performance homes, Department of Housing and Community Development required to encourage the construction of	135	642
Home builder, definition altered for purpose of home builder registration	43	241
	44	242
Home Inspectors –		
License renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Record retention requirements added	30	205
Homecrest House, bond funds for	396	2176
Homeless youth facilities, bond funds for	396	2170
Homeowner's insurance, explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added	154	714
Homeownership Programs –		
Appropriation for	395	1989
		2040
		2129
Bond funds for below–market interest rate mortgages with minimum down payments to low– and moderate–income families	396	2160
Fund, transfer of funds to the General Fund	397	2377
		2379
Homestead exemption in bankruptcy proceedings, expanded to include debtor's aggregate interest in a cooperative housing corporation that owns property that the debtor occupies as a residence and clarified to include owner–occupied condominium unit	32	210
Housing Commission of Talbot County and St. Michaels		

	Chapter	Page
Housing Authority, unification by consolidation or merger, provisions added	323	1559
Housing Development Program, appropriation for	395	1989
Housing Fund, appropriation to	395	1988
In Our House Homeless Youth Center, bond funds for	396	2185
Lead Risk Reduction in Housing –		
Affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Maryland Center of Veterans Education and Training, bond funds for	396	2171
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
Morgan Mill Facility, bond funds for	396	2171
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Notice of intent to foreclose, affidavit accompanying order to docket or complaint to foreclose a mortgage or deed of trust on residential property required to state that contents of notice were accurate at the time it was sent	36	219
	37	222
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Partnership Rental Housing Fund, bond funds for	396	2160
Prince George's County –		
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Rental Housing Programs –		
Appropriation for	395	1990
		2129
Fund, transfer of funds to the General Fund	397	2377
Rental Services Programs, appropriation for	395	1989

	Chapter	Page
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Shelter and Transitional Housing Facilities Grant Program, bond funds for facilities for the homeless	396	2160
Special Loan Programs –		
Bond funds for	396	2160
Fund, transfer of funds to the General Fund	397	2379
Stadium Place, previous bond provisions altered	396	2244 2246
Housing and Community Development, Department of —		
Appropriation to	395	1987 2061 2073 2077 2078 2140
Headquarters relocation from Crownsville to undetermined location in Prince George's County, report required	395	1987
High–performance homes, Department required to encourage the construction of	135	642
International Green Construction Code, adoption by Department of Housing and Community Development regulation authorized; adoption and amendment by local jurisdictions authorized	369	1739
Special Loan Programs Fund, transfer of funds to the General Fund	397	2379
Howard County —		
Beer, wine and liquor tasting (BWLT) license created; maximum alcohol content of wine that may be served under a beer and wine tasting (BWT) license increased	325	1568
Hotel room rental sales and use tax, maximum authorized rate increased; allocation of revenue, provisions altered	139	657
Orphans' Court, determination of when to hold sessions, provisions added	391	1817
State Bonds –		
The Arc of Howard County, Graeloch home renovation	396	2188
Elkridge Volunteer Fire Department Station	396	2166
Former Ellicott City Post Office	396	2175
Howard Community College, Allied Health Building, previous bond provisions altered	396	2212
Linwood Center	396	2167 2182
Mount Pleasant Farm House	396	2175 2188
Patapsco Valley State Park	396	2152
Human Relations Commission —		
Appropriation to	395	1843 2054 2071 2073 2076 2078 2080

	Chapter	Page
		2139
Name changed to Maryland Commission on Civil Rights	580	3415
Human Resources, Department of —		
Appropriation to	395	1927
		2059
		2071
		2072
		2073
		2076
		2077
		2078
		2081
		2092
		2139
		2140
Displaced homemakers multipurpose service center, mandatory periodical evaluation and report of programs changed to be discretionary	131	635
Family day care providers, obsolete amnesty provisions for unregistered providers repealed	206	941
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
Foster care maintenance payments, accounting system and reporting requirements	395	2087
Grants Management, Office of, appropriation to	395	1927
Health Care Reform project, appropriation for; report required	395	1866
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Long–term care eligibility determinations under Medicaid, report on development of streamlined process and progress reports on improving timeliness of eligibility determinations, requirements added	395	1919
Low Income Home Energy Assistance Program, report on actions taken in response to a federal report and a State audit of the Family Investment Program, requirement added	395	1932
Medicaid eligibility monitoring, updated memorandum of understanding with Department of Health and Mental Hygiene required; report on new eligibility determination and enrollment systems that are required under federal health care reform, required	395	2092
Medicaid eligibility of inmates, report required	395	2092
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Single parent services program establishment in each local department of social services, requirement repealed	144	672
Human Rights —		
Human Trafficking –		
Added to list of crimes for which evidence may be gathered during a criminal investigation through interception of oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266

	Chapter	Page
Awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added.....	137	654
Victim who is convicted of prostitution authorized to file motion to vacate judgment if prostitution was part of the human trafficking victimization, provisions added.....	218	1016
Picketing activities at a funeral, burial, memorial service, or funeral procession, distance increased within which activities prohibited	570	3377
Human Services, Department of —		
Reimbursement by county board of education of the basic cost of education of a child in State–supervised care in a nonpublic residential placement that provides an education program, provisions added.....	397	2269
Hunting —		
Carroll County –		
Deer hunting on private property on certain Sundays, restrictions altered	237	1077
Hunting license exemption for armed forces member with a service–connected disability, provisions expanded	543	3233
Junior deer hunt, establishment required	120	600
Husband and Wife SEE Divorce; Domestic Violence; Family Law		

I

Identification —		
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Firearm identification mark or number, removal or alteration specified as a misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
Identity fraud, assuming the identity of a fictitious person for certain purposes, prohibited.....	70	384
	71	385
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added.....	292	1449
	293	1455
Identity Cards SEE Identification		
Identity Theft SEE Fraud		
Ignition Interlock Devices SEE Motor Vehicle Equipment		
Illegal Drugs SEE Controlled Dangerous Substances		
Immigrants SEE Aliens and Citizenship		
Immunity SEE Liability; Sovereign Immunity		
Immunization —		
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334

	Chapter	Page
Impact Fees SEE Development Fees and Taxes		
Incinerators SEE Refuse Disposal		
Income Tax —		
Distribution of income tax revenue from corporations to Transportation Trust Fund, provisions altered	397	2353
		2389
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added	352	1661
Employers and other payors of payments subject to income tax withholding, submission to Comptroller of annual withholding statement in machine–readable or electronic format, provisions altered	161	734
Maryland Defense Force members, eligibility for income tax subtraction modification under the Honorable Louis L. Goldstein Volunteer Police, Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program, provisions added	221	1034
	222	1037
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Tax Credits –		
Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general	298	1480
	299	1480
Bio–heating oil purchase for space or water heating, definition of bio–heating oil altered	566	3361
Electric vehicle recharging equipment, tax credit provisions added	402	2414
Electricity produced from qualified energy resources, requirement that certain qualified waste material be only solid or cellulosic, repealed	565	3359
Film production activity, tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Teachers at correctional facilities and certain juvenile facilities, income tax credit for tuition costs for graduate level courses that are required to maintain certification, provisions added	490	2883
Unemployment insurance, number of times per year a claimant may change a previously elected tax withholding status, restrictions repealed	14	163
Indian Affairs, Commission on SEE Ethnic Affairs		
Indigent Persons —		
Dayspring Square facility, bond funds for	396	2184
Homeless youth facilities, bond funds for	396	2170
In Our House Homeless Youth Center, bond funds for	396	2185
Morgan Mill Facility, bond funds for	396	2171
Public defender services, determination of eligibility for services		

	Chapter	Page
without a need assessment for individuals whose assets and net annual income are less than 100% of federal poverty guidelines, provisions added; authority of court to appoint outside counsel, provisions clarified	244	1103
Shelter and Transitional Housing Facilities Grant Program, bond funds for facilities for the homeless	396	2160
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Industry and Technology —		
Baltimore Museum of Industry, appropriation to	395	1964
Biotechnology Center, appropriation to	395	1992
Biotechnology Investment Tax Credit –		
Definition of a qualified Maryland biotechnology company expanded for FY 2012 and FY 2013 only to include a company in active business for up to 15 years	349	1648
Reserve Fund, appropriation for	395	1994
East Baltimore Biotechnology Park, bond funds for	396	2162
East County Center for Science and Technology Incubator, previous bond provisions altered	396	2199
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Industrial Development Financing Authority, appropriation to	395	1994
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Maryland Technology Development Corporation, appropriation to	395	1996
Infants SEE Minors		
Infectious Waste SEE Refuse Disposal		
Information Technology SEE Computers; Electronic Commerce; Electronic Government		
Information Technology, Department of —		
Appropriation to	395	1865
		2057
		2071
		2072
		2074
		2076
		2077
		2079
		2081
		2107
		2139
Funding approval for State agency major information technology development projects, approved systems development life cycle plan requirements, provisions added	397	2297

	Chapter	Page
Infrastructure SEE Public Works		
Injured Workers' Insurance Fund SEE Workers' Compensation		
Inmate Grievance Commission SEE Prisoners		
Inmates SEE Prisoners		
Insects —		
Mosquito control, appropriation for	395	1899
Inspections —		
See also Motor Vehicle Inspection		
Boilers and pressure vessels, inspection agency insurance requirements that must be satisfied before employee may be issued a special inspector commission, regulations required	608	3556
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Developmental disabilities services providers, performance evaluation of surveyors who carry out inspections of each site or office operated by a licensed provider, requirements added	116	584
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Home Inspectors –		
License renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Record retention requirements added	30	205
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Lead risk reduction in housing, requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Podiatric Medical Examiners, State Board of, unannounced inspections of offices of certain podiatrists against whom a complaint has been filed regarding violation of guidelines on universal precautions, requirements added	180	849
	181	850
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254

	Chapter	Page
	270	1289
Safety inspection, appropriation for	395	1935
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Installment Sales SEE Credit		
Institutional Education SEE Education		
Insurance —		
See also Health Insurance; Health Maintenance Organizations; Motor Vehicle Insurance		
Boilers and pressure vessels, inspection agency insurance requirements that must be satisfied before employee may be issued a special inspector commission, regulations required	608	3556
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form that must be filed and approved, study required	514	3014
	515	3019
Civil action against person who had applicable insurance coverage at time of alleged liability, certification that is required before defendant's insurer must disclose defendant's last known address to plaintiff, provisions altered	184	854
Condominium bylaws that require all unit owners to maintain condominium insurance on their units, provisions added	138	655
Disability insurance policies that contain a clause that reserves sole discretion to carrier to interpret terms of policy or provides standards of interpretation or review that are inconsistent with State laws, carriers prohibited from selling, delivering, or issuing	155	716
Homeowner's Insurance –		
Discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added	154	714
Injured Workers' Insurance Fund –		
Made subject to insurance premium tax	397	2291
Transfer of funds to the General Fund	397	2383
Insurance Trust Fund, transfer of funds to the General Fund	397	2377
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182

	Chapter	Page
	260	1187
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of health insurance products that may be sold in conjunction with a life insurance policy and report, required	41	236
	42	238
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded	625	3619
People's Insurance Counsel Division in the Office of the Attorney General, appropriation to	395	1834
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added	38	226
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Unemployment Insurance –		
Benefit Payment Control Automation Project, appropriation for	395	2120
Benefits claims, period of time after which decisions are final that relate to claims appealed to units in the Department of Labor, Licensing, and Regulation, provisions added	108	553
Number of times per year a claimant may change a previously elected tax withholding status, restrictions repealed	14	163
Office of Unemployment Insurance, appropriation to	395	1938
		2036
		2060
		2120
Passage by Board of Appeals of an order in accordance with the final decision in a judicial review proceeding for an appeal, requirement repealed	12	160
Payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612

	Chapter	Page
	436	2628
Insurance Administration —		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Appropriation to; report required regarding mechanism for identifying hospital rate adjustments and assessments as components to be considered in reviewing and approving health insurance premium rates	395	1851
		2049
		2055
		2072
		2077
		2140
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form to be filed and approved, study required	514	3014
	515	3019
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Homeowner's insurance, discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Information about the Maryland Medical Assistance Program and Children's Health Program, authority of licensed insurance producers to provide to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Insurance Commissioner, appropriation for salary	395	2055
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of health insurance products that may be sold in conjunction with a life insurance policy and report, required	41	236
	42	238
Qualified State Long–Term Care Insurance Partnership Program, reporting requirements altered	8	149
	9	151
Sunset evaluation, deadline extended	418	2536
Surplus lines insurance, law amended to comply with federal law; premium receipts tax and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Interest —		
Net interest on all State money allocated to special funds or		

	Chapter	Page
accounts, required to accrue to the General Fund, with exceptions	397	2300
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Somerset County –		
Sanitary district water and sewer service, late fee for unpaid usage charges, interest accrual on charge that is in default, and payment of late fees in addition to any other charges before reconnection of water service, provisions added	354	1666
Interior Designers —		
State Occupational and Professional Licensing Design Boards' Fund, report required regarding sufficiency of balance	316	1547
International Affairs —		
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
Health and Mental Hygiene Department, certificate of foreign birth for individual born in a foreign country who was adopted under the laws of a foreign jurisdiction and granted an IH–3 visa, provisions added	463	2723
	464	2725
International Trade and Investment, Office of, appropriation to	395	1993
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Internet SEE Computers; Electronic Commerce; Electronic Government		
Interpreters SEE Language		
Interstate Affairs —		
Adjutant General required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
Commercial tidal fish license apprenticeship program, practical experience requirements altered; provision added that program may not be used to obtain a seafood landing license	86	494
Council of State Governments, appropriation for grant to	395	1837
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions		

	Chapter	Page
on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Intestate Succession SEE Estates and Trusts		
Investigations and Inquiries —		
See also Criminal Background Investigations		
Baltimore City –		
Grand jury required to carry out an investigation if directed to do so by a judge of the circuit court	234	1072
Certificates of insurance, opinion letter, or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form to be filed and approved, study required	514	3014
	515	3019
Child neglect, misdemeanor crime established	398	2391
	399	2399
Correctional officers' bill of rights for local correctional facilities, made applicable to St. Mary's County and definition of "correctional officer" altered	128	628

	Chapter	Page
Criminal Investigation Division of the Office of the Attorney General, appropriation to	395	1834
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added	361	1706
Pre–parole investigation process for local inmates, report required on proposed changes	395	1951
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Investments —		
Allegany County –		
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Biotechnology investment tax credit, definition of a qualified Maryland biotechnology company expanded for FY 2012 and FY 2013 only to include a company in active business for up to 15 years	349	1648
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Minority Business Enterprise Program and Equity Investment Capital, Task Force on the, termination date and report deadline extended	254	1168
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added	38	226
Ireland SEE International Affairs		
Israel SEE International Affairs		

	Chapter	Page
J		
Jails SEE Correctional Institutions; Juvenile Facilities; Patuxent Institution		
Job Training —		
Apprenticeship and training, appropriation for	395	1935
Career Development Center, bond funds for	396	2186
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Construction Education and Innovation, Maryland Center for, appropriation for	395	2117
Displaced homemakers multipurpose service center, mandatory periodical evaluation and report of programs changed to be discretionary	131	635
Governor's Workforce Investment Board, study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
Maryland Center of Veterans Education and Training, bond funds for	396	2171
New Horizons Disability Job Training and Recycling Center, bond funds for	396	2192
Judges —		
Award of temporary possession of a pet of a person eligible for relief or a respondent in an interim or a temporary or final protective order, provisions added	283	1415
	284	1421
Baltimore City –		
Grand jury required to carry out an investigation if directed to do so by a judge of the circuit court	234	1072
Chief Administrative Law Judge, appropriation for salary	395	2055
Circuit court, appropriation to	395	1829
		2048
Court of Appeals, appropriation for	395	2048
Court of Special Appeals, appropriation for	395	2048
District Court, appropriation for	395	2048
Human trafficking added to list of crimes for which evidence may be gathered during a criminal investigation through interception of oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266
Judicial Compensation Commission, Governor's Salary Commission, and General Assembly Salary Commission reports, required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Maryland Judicial Conference, appropriation to	395	1829
Peace orders, extension of term of final order, provisions added	57	272
	58	273
Prince George's County –		
Orphans' Court judges, qualifications altered	394	1824

	Chapter	Page
Talbot County –		
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251
Judgments —		
Homestead exemption in bankruptcy proceedings, expanded to include debtor's aggregate interest in a cooperative housing corporation that owns property that the debtor occupies as a residence and clarified to include owner–occupied condominium unit	32	210
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016
Payment for judgments against the State, appropriation for	395	1837
Personal injury award or settlement, withholding of portion of award or settlement to pay child support arrearage, provisions added	603	3535
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Judicial Review —		
Commercial fishing authorization to catch striped bass or crabs under tidal fish license, revocation for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Oysters, illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427	2567
	428	2569
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Unemployment insurance, passage by Board of Appeals of an order in accordance with the final decision in a judicial review proceeding for an appeal, requirement repealed	12	160
Judiciary SEE Courts		
Junkyards SEE Wreckers and Scrap Processors		
Juries SEE Grand Juries		
Jurisdiction —		
District Court, signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Workers' Compensation Commission, retention of jurisdiction pending appeal of workers' compensation order to consider a		

	Chapter	Page
proposed settlement of a claim, provisions added	45	244
	46	246
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Juvenile Causes —		
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Juvenile Justice Monitoring Program, appropriation to	395	1834
Juvenile Services Department pending placement population data and number of youth held in secure detention beyond 30 days as a measure of assessing the need for out–of–home committed placements, report required	395	2003
Juvenile Services Education Program, appropriation for	395	1957
		2008
		2038
Process for identifying and receiving reimbursement for youth in nonpublic placement education programs, implementation and estimated impact to each jurisdiction, report required	395	2002
Recidivism rates of children committed to the Department of Juvenile Services for placement in residential care, report requirements added	194	880
Residential boarding education programs for at–risk youth, funding provisions altered	503	2985
	504	2987
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Services and programs for females that are substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752
Substance abuse treatment options for court–involved youth, report required	395	2094
Talbot County –		

	Chapter	Page
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Juvenile Facilities —		
Cheltenham Youth Facility, education services for youth at, reports on funding and transfer required	395	2009
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Good Shepherd Center, bond funds for student courtyard renovation	396	2173
Juvenile Services Department pending placement population data and number of youth held in secure detention beyond 30 days as a measure of assessing the need for out–of–home committed placements, report required	395	2003
Population analysis findings and identification of number of beds to be provided in the new Youth Detention Facility, report required	396	2208
Recidivism rates of children committed to the Department of Juvenile Services for placement in residential care, report requirements added	194	880
Reimbursement to State by county board of education of the basic cost of education of a child in State–supervised care in a nonpublic residential placement that provides an education program, provisions added	397	2269
		2279
Residential boarding education programs for at–risk youth, funding provisions altered	503	2985
	504	2987
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Security enhancements at State–run facilities, appropriation for	395	2133
Services and programs for females that are substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447
State operated residential and community operations, appropriations for the various regions	395	2003
		2042
		2063
Teachers at correctional facilities and certain juvenile facilities, income tax credit for tuition costs for graduate level courses required to maintain certification, provisions added	490	2883
Youth Detention Facility –		
Bond funds for	396	2218
		2220

	Chapter	Page
		2222
Previous bond provisions altered	396	2208
		2211
		2214
Juvenile Services, Department of —		
Appropriation to	395	2002
		2062
		2071
		2074
		2076
		2078
		2081
		2094
		2133
		2140
Cheltenham Youth Facility, education services for youth at, reports on funding and transfer required	395	2009
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Court files and records relating to unserved arrest warrants and charging documents, access by Department of Juvenile Services expanded	15	165
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Pending placement population data and number of youth held in secure detention beyond 30 days as a measure of assessing the need for out–of–home committed placements, report required	395	2003
Process for identifying and receiving reimbursement for youth in nonpublic placement education programs, implementation and estimated impact to each jurisdiction, report required	395	2002
Recidivism rates of children committed to the Department for placement in residential care, report requirements added	194	880
Reimbursement by county board of education of the basic cost of education of a child in State–supervised care in a nonpublic residential placement that provides an education program, provisions added	397	2269
		2279
Services and programs for females that are substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752

K

Kent County —

Junk dealers and scrap metal processors, licensing requirements

	Chapter	Page
and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
State Bonds –		
Camp Fairlee Manor	396	2182
Washington College, Clifton M. Miller Library	396	2164
Kidney Disease SEE Diseases		

L

Labeling —		
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Labor SEE Work, Labor and Employment		
Labor and Industry, Division of —		
Appropriation to	395	1935
		2060
Boilers and pressure vessels, inspection agency insurance requirements that must be satisfied before employee may be issued a special inspector commission, regulations required	608	3556
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Labor, Licensing, and Regulation, Department of —		
Appropriation to	395	1933
		2035
		2060
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2116
		2139
		2140
Board of Appeals, appropriation for	395	1933
		2118
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
Lower Appeals, appropriation for	395	1933
		2118

	Chapter	Page
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded.....	625	3619
Notification of Motor Vehicle Administration that an individual has not paid all undisputed unemployment insurance contributions, provisions added.....	397	2371 2372
State Commission of Real Estate Appraisers and Home Inspectors Fund established; appraisal management company hearing board established; registration and regulation of real estate appraisal management companies, provisions added.....	269 270	1254 1289
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities.....	170	792
Labor Unions SEE Unions		
Laboratories —		
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered.....	484 485	2810 2840
Laboratories Administration, appropriation to.....	395	1908 2029 2059
Land Reclamation SEE Reclamation		
Land Records —		
See also Deeds		
Counterfeit deed or other instrument that is recorded in county land records or filed with the clerk of the circuit court or the register of wills, venue for prosecution of counterfeiting crime expanded.....	73	390
Real Property Records Improvement Fund, transfer of funds to the General Fund.....	397	2377
Recordable instruments to be recorded among land records and financing statement records, surcharge increased for a certain period	397	2265
Land Surveyors SEE Surveyors		
Land Use SEE Zoning and Planning		
Landfills SEE Refuse Disposal		
Landlord and Tenant —		
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added.....	66 67	379 380

	Chapter	Page
Foreclosure sales, rent payment collection by foreclosure sale purchaser from tenants in possession of foreclosed residential property, restrictions added	245	1106
	246	1109
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added	596	3490
Lead Risk Reduction in Housing –		
Affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711
Landscape Architects —		
Educational and experience requirements for applicants seeking to take the licensing examination, provisions altered	212	960
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
State Occupational and Professional Licensing Design Boards' Fund, report required regarding sufficiency of balance	316	1547
Language —		
Language assistance, appropriation for	395	1962
Limited English proficient, appropriation for	395	1962
		2125
Laundries SEE Dry Cleaners and Laundries		
Law Department SEE Attorney General		
Law Enforcement —		
Advanced and Specialized Training Unit (AST) in the Police and Correctional Training Commission, appropriation for transfer to Governor's Office of Crime Control and Prevention	395	2104
		2122
Baltimore City –		
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations		

	Chapter	Page
and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
Emergency medical services providers, definitions altered for purposes of licensing, certification, and regulation; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
Human trafficking added to list of crimes for which evidence may be gathered during a criminal investigation through interception of oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Laurel Police Department Facility Community Space, bond funds for	396	2191
Law Enforcement Officers' Bill of Rights, extended to apply to members of the Internal Investigation Unit of the Department of Public Safety and Correctional Services	39	231
Law Enforcement Officers' Pension System, DROP interest rate, provisions altered	397	2337
Law enforcement operations in executive branch agencies, appropriation for	395	2082
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Natural Resources Police, appropriation to	395	1890
		2025
Police protection, State aid to local jurisdictions, appropriation for	395	2011
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Public Safety Training Center, previous bond provisions altered	396	2198
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819

	Chapter	Page
Report to Criminal Justice Information System Central Repository of the release of a person after arrest without the filing of a charge, requirement repealed	17	170
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Secondhand precious metal object dealers, length of time items in a transaction must remain tagged, and procedures for dealer to amend a record required to be submitted to law enforcement, provisions added; exemption of certain retail jeweler transactions from dealer license provisions	379	1766
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
State Retirement and Pension Systems, provisions to simplify the administration of with respect to reemployment and special death benefits, added	591	3474
Tow companies, establishment and maintenance of list of companies that meet certain standards for use by Department of State Police, requirements added	365	1715
Transportation Department law enforcement operations, appropriation for	395	2082
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Law Libraries SEE Libraries		
Laws and Ordinances —		
See also Uniform Laws		
Baltimore City –		
Administrative adjustments to certain local zoning ordinance requirements, provisions added	444	2664
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Fertilizer content, labeling, sale, application on turf, public		

	Chapter	Page
education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Frederick County –		
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Mold Remediation Services Act, Maryland, termination date extended and evaluation required	333	1596
Prince George's County –		
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Lawyers SEE Attorneys		
Lead Poisoning SEE Hazardous and Toxic Substances		
Leases and Rent —		
Anne Arundel County –		
Property tax credit for certain real property leased to public charter schools, provisions added	95	522
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Capital leases used to finance energy performance contracts, excluded from tax–supported debt; use by Treasurer		

	Chapter	Page
authorized; and lease or contractor payments prohibited from exceeding certain energy savings	163	738
Foreclosure sales, rent payment collection by foreclosure sale purchaser from tenants in possession of foreclosed residential property, restrictions added	245	1106
	246	1109
Leased motor vehicles, prohibited advertising practices relating to calculation of a base lease payment and capitalized cost reduction, provisions added	367	1733
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Reimbursable lease management, appropriation for	395	1871
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711
Legal Aid —		
Eligibility for services from the Office of the Public Defender, determination without a need assessment for individuals whose assets and net annual income are less than 100% of federal poverty guidelines, provisions added; authority of court to appoint outside counsel, provisions clarified	244	1103
Legal Services Program, appropriation to	395	1927
Maryland Legal Services Corporation, report required on auditing procedures and grant spending tracking	395	1829
Public Defender, appropriation to	395	1831
		2016
		2048
		2053
		2070
		2072
		2074
		2075
		2076
		2078
		2080
		2139
Walter Sondheim Jr. Public Service Summer Internship Scholarship Program, types of eligible students expanded to include a student who assists in providing legal services in a public service position	340	1621
Legislation —		
See also Corrective Legislation; Curative Legislation		
Budget bill, Governor required to include additional information regarding State's contribution to each retirement and pension system in order to reflect the impact of legislation increasing employee contributions and reducing the liabilities of the State Retirement and Pension System	397	2386

	Chapter	Page
Legislative Agents SEE Lobbying		
Legislative Services, Department of —		
Annual corrective bill, adopted	65	298
Appropriation to	395	1826
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Spay/Neuter Fund, Task Force on the Establishment of a Statewide, established; report required	266	1228
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Worcester County –		
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Legislature SEE General Assembly		
Liability —		
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005

	Chapter	Page
	217	1010
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Immunity from claims of creditors for certain former tenancy by the entirety property that is transferred to trustees of one or more trusts and proceeds of the property, and waiver of immunity, provisions added and altered	522	3120
	523	3123
Insurance, prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Limited liability companies, operating agreements, rights of assignees, and rights of members' creditors, provisions altered	597	3492
Maryland Tort Claims Act, appropriation for claims under	395	2051
Motor fuel tax, interest, and penalties, personal liability of certain members of limited liability companies and partners of limited liability partnerships for payment of, provisions added	31	206
New home vendor or builder, escrow account, surety bond, or irrevocable letter of credit requirements relating to establishment, maintenance, and withdrawal, provisions altered	450	2681
	451	2684
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Private school policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged	486	2870
	487	2875
Restaurants with outdoor dining areas authorized to allow patron's dog to accompany patron	607	3553
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711

	Chapter	Page
Libraries —		
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Library Development and Services, Division of, appropriation to	395	1957
Noyes Children's Library, bond funds for	396	2177
Public Libraries –		
Appropriation for	395	1963
Bond funds for facilities	396	2155
State aid for regional resource centers, State Library Resource Center, and public libraries, calculation provisions altered	397	2279
State Law Library, appropriation to	395	1830
State Library Network, appropriation to	395	1963
Washington College, bond funds for the Clifton M. Miller Library	396	2164
Western Maryland Regional Library –		
Bond funds for	396	2155
Previous bond provisions altered	396	2211
License Commissioners, Boards of —		
Allegany County –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
1–day special retail license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Entertainment facility license for use by video lottery facility and entertainment concessionaire license for use by concessionaire operating in conjunction with a video lottery facility, created	624	3615
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Class C beer, wine and liquor license, issuance in 45th district, provisions added; Sunday sales by Class A retail and Class D beer, wine and liquor licensees, provisions altered	296	1474
Baltimore County –		
Alcoholic beverages license extension if licensed premises is forced to close because of a casualty loss, provisions added	313	1538
Carroll County –		
Liquor tasting license created	329	1581
Charles County –		
Class B–Stadium (baseball stadium) on–sale beer, wine, and liquor license, converted from Class B–Stadium (baseball		

	Chapter	Page
stadium) beer and light wine license; carry and consumption restrictions altered	388	1803
Frederick County –		
Beer, wine and liquor tasting license, provisions added	384	1783
Harford County –		
Class CCFA (continuing care facility for the aged) beer, wine and liquor license established	92	519
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs	6	140
Howard County –		
Beer, wine and liquor tasting (BWLT) license created; maximum alcohol content of wine that may be served under a beer and wine tasting (BWT) license increased	325	1568
Montgomery County –		
Alcoholic beverages license for restaurants located in Burtonsville Town Square and Hillandale Shopping Center, provisions added	348	1645
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Class A (off–sale) beer and light wine licenses, issuance in certain commercial areas in town of Kensington, provisions added	345	1635
Special culinary school alcoholic beverages license, provisions added	347	1641
Prince George's County –		
Class B–DD (Development District) licenses, maximum number authorized for certain areas, provisions altered; issuance of one other Class B license located anywhere in the county for each Class B–DD license issued, provisions added	375	1755
Entertainment permits, exemption added for certain alcoholic beverages license holders; other provisions clarified	613	3581
St. Mary's County –		
Special beer festival (BF) license, issuance authorized; approval of time and location of a beer festival, provisions added	372	1748
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added	592	3480
Special wine festival (WF) license established	62	278
Worcester County –		
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
License Plates —		
Personalized registration plates, fee increased	397	2371
Temporary registration plate, issuance by licensed motor vehicle dealer to a vehicle buyer who is subject to a penalty for lapsed security for another vehicle, provisions added	274	1343

	Chapter	Page
	275	1345
Licenses —		
See also Alcoholic Beverages Licenses; Drivers' Licenses		
Accountants, services that constitute the practice of certified public accountancy, provisions altered; preparation of a compilation by nonlicensed individual and standard language for disclosure statement regarding exemption from peer review requirements under certain circumstances, provisions added	228	1051
	229	1057
Adjutant General required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
Allegany County –		
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Architects, issuance of retired status license, provisions added	50	253
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380
Brewery licenses, provisions altered for number and size of beer samples, number of beer purchases per person, number of special brewery promotional event permits issued to a holder in a calendar year, and sale for off–premises consumption	238	1079
	239	1081
Certified public accountancy, educational requirements for examination and licensure, provisions altered	208	947
Commercial fishing authorization to catch striped bass or crabs under tidal fish license, revocation for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Commercial tidal fish license apprenticeship program, practical		

	Chapter	Page
experience requirements altered; provision added that program may not be used to obtain a seafood landing license.	86	494
Construction–related permits requested from and issued by the Department of Natural Resources, Department of the Environment and State Highway Administration, report required	395	2095
Dentists and dental hygienists, temporary volunteer licenses and temporary dental clinic permits, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Developmental disabilities services providers, performance evaluation of surveyors who carry out inspections of each site or office operated by a licensed provider, requirements added	116	584
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Electrologists, examination and clinical examination that is required for licensure, approval by State Board of Nursing, provisions added; term of electrologist license extended	107	551
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Emergency medical services providers, definitions altered for purposes of licensing, certification, and regulation; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Fishing gear regulations, adoption by Department of Natural Resources authorized	577	3402
Food establishment licensing fees, provisions that establish maximum fee, repealed	397	2290
Frederick County –		
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443

	Chapter	Page
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Home inspector license renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Hunting license exemption for armed forces member with a service–connected disability, provisions expanded	543	3233
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added.....	297	1477
Landscape architects, educational and experience requirements for applicants seeking to take the licensing examination, provisions altered.....	212	960
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered.....	295	1463
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Medication technician graduates and those applying for certification renewal, extension of time period for practicing		

	Chapter	Page
without certification, provisions added; report required on online program for processing certification applications and analysis of Board of Nursing staffing	123	610
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Nursing Home Administrators, State Board of Examiners of, termination date of statutory provisions and regulations, extended; membership altered; evaluation and report required	24	184
Occupational and Professional Licensing, Division of, appropriation to	395	1936 2060 2118
Outdoor sign along or near scenic byway located on federal–aid primary highway, State Highway Administration prohibited from issuing permit for	318	1551
Oysters, illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427 428	2567 2569
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441 442	2654 2659
Pilotage, vessel draft lengths for categories of limited licenses, provisions altered	443	2663
Podiatric Medical Examiners, State Board of, termination date of statutory provisions and regulations extended; evaluation required; report required from Board	419	2537
Polysomnographic technologists, deadline extended for licensure and for fulfilling requirements for waiver of education requirement for licensure	267 268	1230 1242
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546 547	3238 3245
Prince George's County –		
Entertainment permits, exemption added for certain alcoholic beverages license holders; other provisions clarified	613	3581
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Professional counselors and therapists, authorization of home		

	Chapter	Page
study courses towards completion of continuing education requirements, prohibition repealed	480	2786
	481	2787
Professional engineers, requirement repealed that licensing examinations be 8 hours long and written	210	955
Professional Engineers, State Board for, termination date of statutory provisions and regulations extended; evaluation and Board report required	317	1548
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Real estate brokers, associate brokers, and salespersons, provisions for reinstatement of expired licenses, reactivation of licenses placed on inactive status, and continuing education requirements for license renewal, altered	207	943
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Risk–based mortgage lender licensee examination schedule, implementation and report requirements added	332	1587
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
Secondhand precious metal object dealers and pawnbrokers, license and renewal fees increased	321	1557
Secondhand precious metal object dealers, length of time items in a transaction must remain tagged, and procedures for dealer to amend a record required to be submitted to law enforcement, provisions added; exemption of certain retail jeweler transactions from dealer license provisions	379	1766
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048

	Chapter	Page
	521	3099
Tree expert licenses, application and renewal fees and timetable and procedure for renewal, provisions altered	20	177
Trimming and maintaining horse hooves by farriers or certain others, excluded from definition of the practice of veterinary medicine	7	145
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added; regulations required	232	1068
	233	1070
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Liens —		
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
Limited liability companies, operating agreements, rights of assignees, and rights of members' creditors, provisions altered	597	3492
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Lieutenant Governor —		
Appropriation to	395	2048
Life Insurance SEE Insurance		
Light Rail SEE Mass Transit		
Limited Liability Companies —		
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added	500	2955
	501	2968

	Chapter	Page
Motor fuel tax, interest, and penalties, personal liability of certain members of limited liability companies and partners of limited liability partnerships for payment of, provisions added	31	206
Operating agreements, rights of assignees, and rights of members' creditors, provisions altered	597	3492
Liquor SEE Alcoholic Beverages		
Liquor Control Boards SEE License Commissioners, Boards of		
Liquor Licenses SEE Alcoholic Beverages Licenses		
Literacy —		
Adult Education and Literacy Program, appropriation for	395	1937
Living Wills SEE Advance Medical Directives		
Loans —		
See also Mortgages		
Bay Restoration Fund, use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
BRAC Preservation Loan Fund, appropriation for	395	1990
Fee for special admission of out–of–state attorneys to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Homeownership Programs –		
Appropriation for	395	1989
		2040
		2129
Bond funds for below–market interest rate mortgages with minimum down payments to low– and moderate–income families	396	2160
Jane E. Lawton Conservation Loan Program, capital appropriation to	395	1839
Janet L. Hoffman Loan Assistance Repayment Program, appropriation for	395	1976
Maryland State Firemen's Association grants and loans to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Military Personnel and Service–Disabled Veteran Loan Program, appropriation for	395	1995
Mortgages –		

	Chapter	Page
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or state law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Outdoor Recreation Land Loan, appropriation for	395	1888
Physicians Loan Assistance Repayment Program, appropriation for	395	1976
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
State Agency Loan Program in the Energy Administration, capital appropriation to	395	1839
Lobbying —		
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts–of–interest, and Board of Ethics	72	387
St. Mary's County –		
Metropolitan Commission, commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Local Government Mandates —		
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Baltimore City –		
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Baltimore County –		
Board of Education, development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Frederick County –		
Property tax setoff, grant to municipal corporations, provisions extended to fiscal 2013	542	3232
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added	297	1477
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881

	Chapter	Page
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts–of–interest, and Board of Ethics	72	387
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
School bus construction that meets fire safety standards, requirements added; adoption of regulations required	453	2696
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Local Governments SEE Counties; Municipal Corporations		
Long–Term Care —		
See also Continuing Care; Nursing Homes		
Augsburg Lutheran Home of Maryland, bond funds for	396	2173
		2186
Eligibility determinations under Medicaid, report on development of streamlined process and progress reports on improving timeliness of long–term care eligibility determinations, requirements added	395	1919
Qualified State Long–Term Care Insurance Partnership Program, reporting requirements altered	8	149
	9	151
Lottery —		
State Lottery Agency, appropriation to; report required regarding the sale of traditional lottery games over the Internet	395	1860
		2056
		2071
		2072
		2076
		2077
		2081
		2140
State Lottery Commission –		
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added; regulations required	232	1068

	Chapter	Page
	233	1070

M

Mail SEE Postal Service
Malls SEE Shopping Centers
Mandates SEE Local Government Mandates
Mandatory Retirement SEE Retirement Systems
Manslaughter —
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established 334 1606
Manufacturing SEE Industry and Technology
Maps and Charts —
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered 579 3407
Marijuana SEE Controlled Dangerous Substances
Marinas —
See also Piers and Docks
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered 341 1625
Marriage Therapists SEE Counselors
Maryland African American Museum Corporation SEE Public Corporations and Instrumentalities
Maryland Agricultural and Resource–Based Industry Development Corporation SEE Public Corporations and Instrumentalities
Maryland Automobile Insurance Fund —
Employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered 312 1536
Transfer of funds to the General Fund 397 2384
Maryland Correctional Enterprises SEE Correctional Institutions
Maryland Economic Development Corporation SEE Public Corporations and Instrumentalities
Maryland Health Insurance Plan SEE Health Insurance
Maryland Industrial Development Financing Authority SEE Public Corporations and Instrumentalities
Maryland–National Capital Park and Planning Commission —
Annual deadline for submission of six–year capital improvements program to Prince George's County Council, altered 351 1659
Field lights, bond funds for 396 2191
Prince George's County –
Site plan approval decisions made by County Planning Board, authority of District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added 90 511
Maryland Port Administration SEE Ports

	Chapter	Page
Maryland Technology Development Corporation SEE Public Corporations and Instrumentalities		
Mass Transit —		
See also Buses; Railroads		
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Magnetic levitation technology rail system, prohibition on the study, development, construction, or operation of, provisions repealed	397	2376
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482 483	2789 2800
Public transit service vehicles, authorization to be equipped with and display certain flashing lights, provisions added	101	536
Recycling program at transit stations, study and report relating to establishment required	134	639
Transit Administration –		
Appropriation to	395	1882 2050
Farebox recovery requirement, setting fare prices and collecting other operating revenues sufficient to achieve without reducing level of services, requirements added; report required	397	2363
Washington Metropolitan Area Transit –		
Appropriation for	395	1878
Commission, appropriation to	395	1835
Meat, Poultry, Seafood —		
See also Clams; Crabs; Oysters		
Aquaculture development and seafood marketing, appropriation for	395	1897
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Medevac SEE Emergency Medical Services		
Mediation —		
See also Alternative Dispute Resolution; Arbitration		
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating		

	Chapter	Page
assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Medicaid SEE Medical Assistance		
Medical Assistance —		
Adoption of policies that will provide a certain amount from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program, provisions added	397	2381
Community mental health services, appropriation for	395	1914
		2111
		2112
Eligibility determination, appropriation for	395	1925
		2115
Eligibility monitoring, updated memorandum of understanding between Departments of Health and Mental Hygiene and Human Resources required; report on new eligibility determination and enrollment systems that are required under federal health care reform, required	395	2092
Eligibility of inmates, report required	395	2092
Family planning services under the Medical Assistance Program, eligibility requirements altered	537	3180
	538	3184
Federal subsidies received as a result of the State's prescription drug program, credit to the General Fund, requirements added	397	2379
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Hospital assessment for savings in averted uncompensated care, comparable assessment for publicly owned specialty hospitals that will be used for Medicaid program, provisions added; amount requirements and report on reduction in hospital uncompensated care, provisions altered	397	2286
		2289
Hospital assessments and remittances to support Medicaid program operations, provisions added	397	2381
Information about the Maryland Medical Assistance Program and Children's Health Program, authority of licensed insurance producers to provide to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Long–term care eligibility determinations under Medicaid, report on development of streamlined process and progress reports on improving timeliness of eligibility determinations, requirements added	395	1919
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland Health Insurance Plan Fund –		

	Chapter	Page
Transfer of funds from Senior Prescription Drug Assistance Program account to the Kidney Disease Program, provisions added	397	2380
Transfer of funds from Senior Prescription Drug Assistance Program account to the Medical Assistance Program, provisions added	397	2380
Medicaid Fraud Control Unit in the Office of the Attorney General, appropriation to	395	1834
Medicaid program funding, cost drivers, expenditure reduction, and expenditure growth reduction, workgroup and report required	395	1903
Medical Care Programs Administration, appropriation to	395	1919 2031 2059 2112
Medical Care Provider Reimbursements –		
Accounting system and reporting requirements	395	2087
Appropriation for	395	1921 2032 2113 2137
Payments to facilities or programs for services already funded in Executive Department budgets, recovery by Medical Assistance Program	395	2064
Senior Prescription Drug Assistance Program Account of the Maryland Health Insurance Plan Fund, transfer of funds to the General Fund	397	2377
Senior Prescription Drug Assistance Program, appropriation for	395	1851 2023
State retiree prescription drug benefits, discontinuation for Medicare–eligible retirees, provisions added	397	2310
Medical Equipment SEE Equipment		
Medical Examiners —		
Chief Medical Examiner, appropriation to	395	1907 2029 2058
Forensic Medical Center, previous bond provisions altered	396	2203
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Medical Records SEE Records		
Medical Research —		
Biotechnology investment tax credit, definition of a qualified Maryland biotechnology company expanded for FY 2012 and FY 2013 only to include a company in active business for up to 15 years	349	1648
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498 499	2949 2952
Spinal Cord Injury Research Trust Fund, transfer of funds to		

	Chapter	Page
the General Fund	397	2377
Stem Cell Research Fund, appropriation for	395	1996
Medical Waste SEE Refuse Disposal		
Medicare SEE Medical Assistance		
Medication Technicians —		
Graduates and those applying for certification renewal, extension of time period for practicing without certification, provisions added; report required on online program for processing certification applications and analysis of Board of Nursing staffing	123	610
Memorials SEE Monuments and Memorials		
Mental Health —		
Arundel Lodge, bond funds for expansion	396	2169
		2183
Behavioral Health and Disabilities, Deputy Secretary for, appropriation to	395	1908
		2059
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Community mental health, addiction treatment, and developmental disabilities facilities, bond funds for	396	2154
Community mental health services, appropriation for	395	1913
		2111
		2112
Community Services Reimbursement Rate Commission, termination date extended	94	521
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456	2703
	457	2708
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Mental Health Association, bond funds for HVAC replacement	396	2177
		2189
Mental health facilities, appropriations to various	395	1911
		1914
Mental Hygiene Administration –		
Administration facilities that have been closed, provisions of law relating to, repealed	122	604
Appropriation to	395	1910
		2030

	Chapter	Page
Cost containment actions and impact of actions on access to care for persons with serious mental illness and on financial condition of providers, reports required	395	1910
Problem Gambling Fund, allocation of funds to local health departments for problem gambling services and treatment and establishment of a network of clinically appropriate services for problem gamblers and a hotline for compulsive and problem gamblers, report required	395	1909
Psychologist, definition altered for purposes of certain provisions of law regarding admissions to mental health facilities	63	280
State–run psychiatric hospital capacity, independent study of factors for determining the future need for, appropriation for; report required	395	1911
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579
Trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program for State mental health facilities	248	1115
	249	1125
Vesta Glenarden facility, bond funds for	396	2180
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Mental Retardation SEE Developmental Disabilities		
Mentors —		
State Mentoring Resource Center, appropriation to	395	1965
Mergers and Acquisitions —		
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
Methamphetamine SEE Controlled Dangerous Substances; Drugs		
Metro SEE Mass Transit		
Military SEE Armed Forces		
Militia —		
Adjutant General –		
Appropriation for	395	2055
Required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950

	Chapter	Page
Maryland Defense Force member eligibility for income tax subtraction modification under the Honorable Louis L. Goldstein Volunteer Police, Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program, provisions added	221	1034
	222	1037
Military Department – Appropriation to	395	1848
		2023
		2054
		2071
		2073
		2076
		2078
		2080
		2106
		2139
Required to receive, review, and report information about grants and loans made by the Maryland State Firemen's Association to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities	158	728
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Minimum Wage SEE Salaries		
Mining —		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered.	112	565
Minorities —		
See also Women		
African American Heritage Preservation Program, bond funds for	396	2151
African American History and Culture, Commission on, membership and duties, provisions altered	162	736
African American Museum and Cultural Center, bond funds for.	396	2190
African American Museum Corporation, appropriation to	395	1991
Cultural diversity promotion and enhancement at institutions of higher education, submission deadlines altered for various reports and program plans	52	260
Doleman Black Heritage Museum, previous bond provisions altered	396	2243
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Hospitals or institutions of higher education that receive at least $500,000 in State bond funding, required to submit report on use of minority business contracts and outreach efforts	396	2194
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Latino Economic Development Corporation facility, previous		

	Chapter	Page
bond provisions altered	396	2242
Minority Affairs, Office of, appropriation to	395	1840
Minority Business Enterprise Program –		
Amendment of participation schedule that is submitted with bid or offer, provisions altered; Task Force on the Minority Business Enterprise Program and Equity Investment Capital, termination date and report deadline extended	254	1168
Participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
National Great Blacks in Wax Museum, appropriation to	395	1965
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Small, Minority, and Women–Owned Business Investment Account, appropriation to	395	1994
United States Colored Troops Memorial, previous bond funds altered	396	2237
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Minors —		
Adoption search, contact, and reunion services, application by director of a local department of social services on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added	326	1571
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Child neglect, misdemeanor crime established	398	2391
	399	2399
Child Support Enforcement Administration –		
Appropriation to	395	1931
		2059
Local, appropriation for	395	1931
Child welfare services, appropriation for	395	1930

	Chapter	Page
Children's Health Program, appropriation to	395	1924
		2033
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale, and distribution prohibited	578	3405
Citizen's Review Board for Children, appropriation to	395	1927
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Driver's license application by minor committed to custody or guardianship of local social services department, director of department required to cosign	141	660
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Firearm identification mark or number, removal or alteration specified as a misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
Fourth degree sexual offense involving nonconsensual sexual contact if the victim is a minor, statute of limitations increased for prosecution	192	875
	193	878
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Information about the Maryland Medical Assistance Program and Children's Health Program, authority of licensed insurance producers to provide to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Judith P. Hoyer Early Child Care and Education Enhancement Program, annual report required to include additional information on participating agencies and programs and other information; report deadline altered	421	2545
Junior deer hunt, establishment required	120	600
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Juvenile services and programs for females that are substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447

	Chapter	Page
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Local partnership agreements approved by the Children's Cabinet Interagency Fund, appropriation for	395	1968 2039 2064
National Children's Museum –		
Bond funds for	396	2164
Previous bond provisions altered	396	2237 2240
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552 553	3271 3275
Noyes Children's Library, bond funds for	396	2177
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87 88	498 503
Park Heights Women and Children Center, bond funds for	396	2172
Personal injury award or settlement, withholding of portion of award or settlement to pay child support arrearage, provisions added	603	3535
Port Discovery, previous bond provisions altered	396	2238 2240
Recidivism rates of children committed to the Department of Juvenile Services for placement in residential care, report requirements added	194	880
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219 220	1025 1029
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752
Single parent services program establishment in each local department of social services, requirement repealed	144	672
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548 549	3251 3257
Substance abuse treatment options for court–involved youth, report required	395	2094
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to		

	Chapter	Page
participate in program	378	1763
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Voting room and voting booth access by minor accompanying a voter at polling place, restriction on age of minor altered	585	3439
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Mobile Homes —		
Retaliatory action protections for tenants and mobile home park residents, provisions expanded; authorization to raise a retaliatory action of landlord or park owner in defense to an action for possession or as affirmative claim for damages, provisions added	264	1214
	265	1221
Mobile Vendors SEE Transient Merchants		
Montgomery County —		
Alcoholic Beverages –		
Alcoholic beverages license for restaurants located in Burtonsville Town Square and Hillandale Shopping Center, provisions added	348	1645
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Class A (off–sale) beer and light wine licenses, issuance in certain commercial areas in town of Kensington, provisions added	345	1635
Special culinary school license, provisions added	347	1641
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Convention Center, appropriation to	395	1844
Electioneering boundaries at polling places, provisions altered	344	1633
Property tax assessment appeal board, number of alternate members increased	10	153
State Bonds –		
Agriculture Activity Center at the Agricultural History Farm Park, previous bond provisions altered to provide funding for Little Bennett Regional Park day use area	396	2234
		2235
American Film Institute Silver Theatre and Cultural Center	396	2175
		2188
Battleridge Place stream valley restoration	396	2176
Black Rock Center for the Arts, previous bond provisions altered	396	2242
Cardinal McCarrick Center	396	2188
Charles E. Smith Life Communities	396	2162
Columbia Union College, previous bond provisions altered	396	2199

	Chapter	Page
Damascus Heritage Museum, previous bond provisions altered	396	2235
Discovery Sports Center	396	2188
East County Center for Science and Technology Incubator, previous bond provisions altered	396	2199
Gaithersburg Community Museum, previous bond provisions altered	396	2239
Glenbrooke stormwater management pond renovation	396	2176
Homecrest House	396	2176
Intercounty Connector	396	2162
Ivymount School Annex Building	396	2176 2189
Jewish Community Center of Greater Washington Theatre	396	2176 2189
Jewish Social Service Agency facility	396	2177 2189
Latino Economic Development Corporation facility, previous bond provisions altered	396	2242
Lewisberry Corridor lighting improvements	396	2177
Little Bennett Regional Park, day use area	396	2234 2235
MacDonald Knolls Center	396	2177 2189
Mental Health Association, HVAC replacement	396	2177 2189
Montgomery College, Rockville Science East	396	2219
Noyes Children's Library	396	2177
Olney Boys and Girls Community Park, "Falling Green"	396	2189
Olney Theatre Center	396	2177
Orthodox Congregation of Silver Spring preschool building	396	2178
Poole's Store	396	2178
Rockville District Court, previous bond provisions altered	396	2197 2204
Rockville Swim and Fitness Center, locker room facility	396	2178
Seneca Park North	396	2178
Warner Manor, previous bond provisions altered	396	2178 2245
Water park at Bohrer Park	396	2179 2190
Monuments and Memorials —		
Battle of Bladensburg Visitor Center and Monument, bond funds for	396	2179
Mount Vernon Place Conservancy, bond funds for Washington Monument and historic masonry renovation	396	2185
United States Colored Troops Memorial, previous bond funds altered	396	2237
Veterans Memorials and Monuments Program, appropriation for	395	1850
Mortgages —		
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670

	Chapter	Page
Homeownership programs, bond funds for below–market interest rate mortgages with minimum down payments to low– and moderate–income families	396	2160
Lost note affidavit, court acceptance in lieu of a copy of the debt instrument in an action to foreclose on residential property, affidavit content requirements added	477	2775
	478	2780
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Mortgage Lender–Originator Fund, transfer of funds to the General Fund	397	2378
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or state law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Notice of intent to foreclose, affidavit accompanying order to docket or complaint to foreclose a mortgage or deed of trust on residential property required to state that contents of notice were accurate at the time it was sent	36	219
	37	222
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Risk–based mortgage lender licensee examination schedule, implementation and report requirements added	332	1587
Motels SEE Hotels and Motels		
Motion Pictures —		
Allegany County –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Film Production Rebate Program, appropriation for	395	1847
		1996

	Chapter	Page
		2131
Tourism, Film and the Arts, Division of, appropriation to	395	1995
		2062
Motor Carrier Tax SEE Fuel Tax		
Motor Carriers SEE Buses; Trucks		
Motor Fuel Tax SEE Fuel Tax		
Motor Scooters SEE Motorcycles and Motor Scooters		
Motor Vehicle Administration —		
Appropriation to	395	1882
		2064
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Intrastate for–hire vehicles over 26,000 pounds designed to carry property, maintenance of minimum financial responsibility consistent with federal regulations, requirements added	111	563
Miscellaneous fees, definition altered to include half of the certificate of title fee	397	2369
Motor vehicle registration and driver's license, Motor Vehicle Administration prohibited from charging Medal of Honor recipient a fee for renewal	413	2518
	414	2519
School bus construction that meets fire safety standards, requirements added; adoption of regulations required	453	2696
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
Temporary registration plate, issuance by licensed motor vehicle dealer to a vehicle buyer who is subject to a penalty for lapsed security for another vehicle, provisions added	274	1343
	275	1345
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Verification of payment of taxes and unemployment insurance contributions before issuing driver's license or motor vehicle registration, requirements added	397	2360
		2370
		2372
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449

	Chapter	Page
	293	1455
Motor Vehicle Dealers and Salesmen —		
Baltimore City –		
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added.....	182	851
	183	852
Collection of excise tax and remittance to Motor Vehicle Administration, amount permitted to be retained by dealer, provisions altered.....	397	2371
Dealer processing charge, maximum amount permitted, provisions altered.....	397	2372
Leased motor vehicles, prohibited advertising practices relating to calculation of a base lease payment and capitalized cost reduction, provisions added.....	367	1733
Temporary registration plate, issuance to a vehicle buyer who is subject to a penalty for lapsed security for another vehicle, provisions added.....	274	1343
	275	1345
Motor Vehicle Emissions SEE Motor Vehicle Inspection; Pollution		
Motor Vehicle Equipment —		
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Motor vehicle weight and axle load limits, provisions altered	100	533
Public transit service vehicles, authorization to be equipped with and display certain flashing lights, provisions added	101	536
School bus construction that meets fire safety standards, requirements added; adoption of regulations required.....	453	2696
Used Tire Cleanup and Recycling Fund, transfer of funds to the General Fund	397	2376
		2378
Motor Vehicle Fuel Tax SEE Fuel Tax		
Motor Vehicle Inspection —		
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed.....	124	613
Motor Vehicle Insurance —		
See also Maryland Automobile Insurance Fund		
Insurers authorized to cancel or refuse to underwrite or renew a particular insurance risk or class of risk if insured is convicted of driving or attempting to drive while impaired by alcohol.....	89	509
Intrastate for–hire vehicles over 26,000 pounds designed to carry property, maintenance of minimum financial responsibility consistent with federal regulations, requirements added	111	563
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462

	Chapter	Page
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
Temporary registration plate, issuance by licensed motor vehicle dealer to a vehicle buyer who is subject to a penalty for lapsed security for another vehicle, provisions added	274	1343
	275	1345
Motor Vehicle Operation —		
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Text messaging devices, use while driving prohibited, provisions expanded	471	2759
	472	2761
Motor Vehicle Registration —		
Medal of Honor recipient, exemption from paying fee for renewal of motor vehicle registration and driver's license, provisions added	413	2518
	414	2519
Revenues from motor vehicle registration and other user fees from the Motor Vehicle Administration, deposit in the General Fund, provisions added	397	2380
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Verification of payment of taxes and unemployment insurance contributions before issuing driver's license or motor vehicle registration, requirements added	397	2360
		2370
Motor Vehicle Security Interests SEE Liens		
Motor Vehicles —		
See also Ambulances; Buses; Motorcycles and Motor Scooters; School Buses; Trucks		
Baltimore City –		
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added	182	851
	183	852
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Certificate of title, fee provisions altered	397	2371
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606

	Chapter	Page
Electric Vehicles –		
Maryland Electric Vehicle Infrastructure Council, established; reports required	400	2407
	401	2410
Pilot program for charging electric vehicles, establishment required; report required	403	2417
	404	2419
Recharging equipment, income tax credit provisions added	402	2414
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Leased motor vehicles, prohibited advertising practices relating to calculation of a base lease payment and capitalized cost reduction, provisions added	367	1733
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213	963
	214	967
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Prince George's County –		
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Public transit service vehicles, authorization to be equipped with and display certain flashing lights, provisions added	101	536
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
State Police replacement vehicles and related equipment, distribution of revenue from work zone speed control fines for, provisions added	397	2367
Title fee, definition of Motor Vehicle Administration miscellaneous fees altered to include half of the certificate of		

	Chapter	Page
title fee	397	2369
Vehicle Theft Prevention Council, appropriation to	395	2013
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Weight and axle load limits, provisions altered	100	533
Motorcycles and Motor Scooters —		
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213	963
	214	967
Vehicle parking facilities that are owned, leased, or operated by, or receive funding from, the State or a political subdivision, required to allow motorcycles to park, subject to established charges	389	1805
Municipal Corporations —		
See also Annapolis; Baltimore City; Ocean City		
Anne Arundel County –		
Property tax credit for certain real property leased to public charter schools, provisions added	95	522
Bay Restoration Fund, use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Damascus Heritage Museum, previous bond provisions altered	396	2235
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
District Heights field renovation, previous bond provisions altered	396	2239
		2242
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Frederick County –		
Property tax setoff, grant to municipal corporations, provisions extended to fiscal 2013	542	3232
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Gaithersburg Community Museum, previous bond provisions altered	396	2239
Habitat for Humanity, local property tax credit provisions altered	130	634
Highway user revenues, distribution to counties and municipalities, appropriation for	395	1881
		2109
Hot air balloons that are not tethered, county or municipal corporation prohibited from imposing admissions and amusement tax on gross receipts from charge for admission to or use of	125	616

	Chapter	Page
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
International Green Construction Code, adoption by Department of Housing and Community Development regulation authorized; adoption and amendment by local jurisdictions authorized	369	1739
Laurel Armory Anderson Murphy Community Center, bond funds for	396	2180
Laurel Police Department Facility Community Space, bond funds for	396	2191
Local government authority to support affordable housing programs through waivers of certain fees and charges, termination date repealed	23	182
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
Montgomery County –		
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Class A (off–sale) beer and light wine licenses, issuance in certain commercial areas in town of Kensington, provisions added	345	1635
Mount Rainier civic center, bond funds for	396	2191
Net energy metering eligibility extended to customer–generator that uses a closed conduit hydroelectric generating facility	47	247
North Beach Public Works Building, bond funds for	396	2173
Prince George's County –		
Authorized to establish revitalization districts and grant property tax credit against municipal property tax on property in districts	476	2773
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion		

	Chapter	Page
of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Riverdale Park Town Hall, bond funds for	396	2180
		2192
Rockville Swim and Fitness Center, bond funds for locker room facility	396	2178
Salisbury City Park, previous bond provisions altered	396	2228
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
Semiannual property tax payment schedule for business property, eligibility provisions altered	593	3483
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Somerset County –		
Sale of certain county property at private sale to the City of Crisfield and to the American Legion – Stanley Cochrane Post #16, provisions added	544	3235
	545	3236
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Transportation capital grants to local governments, appropriation for	395	2108
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
Worcester County –		
Berlin, issuance of a Class 7 micro–brewery (on– and off–sale) license to holder of Class D license, provisions added	393	1819
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Museums —		
African American Museum and Cultural Center, bond funds for	396	2190
African American Museum Corporation –		
Appropriation to	395	1991

	Chapter	Page
Financial efficiencies that may be achieved given reduced attendance numbers and plan for potential self sufficiency, report required	395	1991
Allegany Museum, bond funds for	396	2168
		2182
American Visionary Art Museum –		
Appropriation to	395	1964
Bond funds for	396	2183
Arthur & Mary E. Ridgley, Sr. Museum, bond funds for	396	2190
B&O Railroad Museum, appropriation to	395	1964
Baltimore Museum of Art, bond funds for	396	2162
Baltimore Museum of Industry, appropriation to	395	1964
Carroll Mansion Museum, previous bond provisions altered	396	2229
Chesapeake Bay Maritime Museum –		
Appropriation to	395	1964
Bond funds for bulkhead replacement	396	2181
Damascus Heritage Museum, previous bond provisions altered	396	2235
Doleman Black Heritage Museum, previous bond provisions altered	396	2243
Gaithersburg Community Museum, previous bond provisions altered	396	2239
Jewish Museum of Maryland, appropriation to	395	1965
Maryland Historical Society, appropriation to	395	1965
Maryland Veterans Memorial Museum, bond funds for	396	2187
Museum services, appropriation for	395	1846
National Children's Museum –		
Bond funds for	396	2164
Previous bond provisions altered	396	2237
		2240
National Great Blacks in Wax Museum, appropriation to	395	1965
National Museum of Ceramic Art and Glass, appropriation to	395	1965
Port Discovery –		
Appropriation to	395	1965
Previous bond provisions altered	396	2238
		2240
Walters Art Museum, appropriation to	395	1965
Ward Museum, appropriation to	395	1965
Music SEE Art, Music and Cultural Affairs		

N

Names —		
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added	500	2955
	501	2968
Human Relations, Maryland Commission on, name changed to Maryland Commission on Civil Rights	580	3415
Woodland Incentives Fund, name changed to Mel Noland Woodland Incentives Fund; clarification added that fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Fund funds; annual report requirements clarified	330	1582
Narcotics SEE Controlled Dangerous Substances; Drugs		
National Guard SEE Militia		

	Chapter	Page
Native Americans SEE Ethnic Affairs		
Natural Resources —		
Heritage Conservation Fund, appropriation for	395	1889
Natural Resources, Department of —		
Appropriation to	395	1885
		2057
		2071
		2072
		2073
		2074
		2076
		2077
		2078
		2079
		2081
		2095
		2109
		2139
		2140
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Capital improvements, appropriation for	395	1889
Chesapeake Bay restoration expenditures and funding, reports and budget book requirements added	395	2093
Commercial fishing authorization to catch striped bass or crabs under tidal fish license, revocation for unlawfully taking striped bass or crabs, provisions added	505	2989
	506	2991
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Construction–related permits requested and issued, report required	395	2095
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Fishing gear regulations, adoption authorized	577	3402
Junior deer hunt, establishment required	120	600
Licensing and Registration Service, appropriation to	395	1890
Natural Resources Police, appropriation to	395	1890
		2025
Oyster and shellfish aquaculture, resurvey of any submerged		

	Chapter	Page
area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Oysters, illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427	2567
	428	2569
Program Open Space –		
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Use of State share of funding for administration expenses, provisions altered	397	2297
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Tree expert licenses, application and renewal fees and timetable and procedure for renewal, provisions altered	20	177
Negligence —		
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
News Media —		
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
No–Fault Divorce SEE Divorce		
No–Fault Insurance SEE Motor Vehicle Insurance		
Nonprofit Health Service Plans SEE Health Insurance		
Nonprofit Organizations —		
Allegany County –		
1–day special retail alcoholic beverages license for use at an entertainment event, established; donation of portion of license fee to a nonprofit charitable organization, provisions added	368	1736
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380
Habitat for Humanity, local property tax credit provisions altered	130	634
Nonprofit food vendor at youth sporting event or 4–H youth event, sales and use tax exemption for sales of certain food and drink, provisions added	364	1713
Not–For–Profit Development Center Program Fund –		
Appropriation for	395	1994

	Chapter	Page
Transfer of funds to the General Fund	397	2376 2377
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Small rural electric cooperatives, distribution of funds from a rate relief account established under the Maryland Strategic Energy Investment Fund to organizations that provide assistance to low income residents, provisions added	18 19	172 175
Somerset County –		
Sale of certain county property at private sale to the City of Crisfield and to the American Legion – Stanley Cochrane Post #16, provisions added	544 545	3235 3236
Special needs trusts, supplemental needs trusts, and pooled asset special needs trusts, use by individual with disabilities encouraged; limitation on restrictive regulations and requirements, provisions added	561 562	3336 3338
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496 497	2901 2925
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Nonpublic Schools SEE Private Schools		
Nonresidents —		
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Reimbursement of certain community college student out–of–county fees by Higher Education Commission to community college and by community college to certain students, provisions altered	397	2273
Notices —		
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480

	Chapter	Page
Baltimore City –		
Administrative adjustments to certain local zoning ordinance requirements, provisions added	444	2664
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added	182	851
	183	852
Baltimore County –		
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Certificate of need requirements for closure or partial closure of health care facilities other than hospitals, provisions added	176	836
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form to be filed and approved, study required	514	3014
	515	3019
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Child neglect, misdemeanor crime established	398	2391
	399	2399
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Dorchester County –		
Tax sales of property, notice requirements and amount of auctioneer's fee allowed as an expense, provisions altered	328	1579
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added	352	1661
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Firearms, use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties		

	Chapter	Page
altered; mandatory minimum sentence provisions altered.....	164	741
	165	744
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered.....	355	1670
Foreclosure sales, rent payment collection by foreclosure sale purchaser from tenants in possession of foreclosed residential property, restrictions added	245	1106
	246	1109
Harford County –		
Special Class C–3 (on–sale) beer, wine and liquor license, established for issuance to certain organizations or clubs .	6	140
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added.....	596	3490
Home care providers, collective bargaining rights for certain independent home care providers, provisions added.....	171	801
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added .	142	661
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term “family day care” changed to “family child care”; eligibility for certain child care grants, expanded.	564	3342
Licensed insurance producers, authority to provide information		

	Chapter	Page
about the Maryland Medical Assistance Program and Children's Health Program to small employers for distribution to their employees, provisions added	300	1481
	301	1486
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Minority Business Enterprise Program, amendment of participation schedule that is submitted with bid or offer, provisions altered; Task Force on the Minority Business Enterprise Program and Equity Investment Capital, termination date and report deadline extended	254	1168
Montgomery County –		
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224	1043
	225	1046
Notice of intent to foreclose, affidavit accompanying order to docket or complaint to foreclose a mortgage or deed of trust on residential property required to state that contents of notice were accurate at the time it was sent	36	219
	37	222
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Peace orders, extension of term of final order, provisions added	57	272
	58	273
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441	2654
	442	2659
Priority of condominium lien or homeowners association lien for certain unpaid assessments over claim of holder of first mortgage or deed of trust in cases of foreclosure of mortgage or deed of trust, provisions added; assessment information in filed lien statements, requirements added	387	1795
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks,		

	Chapter	Page
and Recreation Plan, provisions altered	410	2470
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Restaurants with outdoor dining areas authorized to allow patron's dog to accompany patron	607	3553
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579

	Chapter	Page
Unclaimed money due former members, retirees, and beneficiaries of the State Retirement and Pension System, publication of names of individuals and employers for purposes of notification, provisions added	60	276
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711
Worcester County –		
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Nuisances —		
See also Weeds		
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered	602	3532
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Nurses —		
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433 434	2587 2600
Nurse Support Program II, appropriation for	395	1976
State Board of Nursing –		
Appropriation to	395	1905
Approval of examination and clinical examination that is required for licensure of electrologists, provisions added; term of electrologist license extended	107	551
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Fund, transfer of funds to the General Fund	397	2378
Report required on online program for processing medication technician certification applications and analysis of Board staffing	123	610
Nursing Homes —		

	Chapter	Page
See also Continuing Care; Long–Term Care		
Charlotte Hall Veterans Home, authority to accept and spend certain gifts and grants, provisions added; reports required ..	199	891
	200	893
Freestanding Nursing Facility Quality Assessment –		
Maximum aggregate amount, provisions altered	397	2290
Termination date repealed	397	2375
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
State Board of Examiners of Nursing Home Administrators, termination date of statutory provisions and regulations, extended; membership altered; evaluation and report required	24	184
User fees assessed on hospitals and nursing homes by Health Services Cost Review Commission, cap increased	582	3433
Veterans Home Program, appropriation for	395	1850
		2023
		2106

O

Occupational Safety —		
Occupational Safety and Health Administration, appropriation to	395	1935
Ocean City —		
Beach Replenishment Fund, appropriation for	395	1889
Convention Center, appropriation to	395	1844
		2019
Maintenance, appropriation for	395	1891
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213	963
	214	967
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
State bonds –		
Ocean City beach replenishment	396	2153
Off–Shore Oil SEE Fuel		
Off–Track Betting SEE Gaming		
Oil SEE Fuel		
Ombudsmen —		
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108

	Chapter	Page
Homeowner's insurance, explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added	154	714
People's Counsel, Office of the, appropriation to	395	1836
		2053
		2072
		2077
People's Insurance Counsel Division in the Office of the Attorney General, appropriation to	395	1834
Open Meetings SEE Public Information		
Open Space SEE Program Open Space		
Optometrists —		
Interstate Educational Compacts in Optometry, appropriation for grants to	395	1974
Ordinances SEE Laws and Ordinances		
Organ Donorship —		
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Maryland Revised Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Orphans' Court —		
Attorney fees, payment without court approval from an estate to attorney representing estate in litigation under contingency fee agreement, provisions added	80	475
Howard County –		
Determination of when to hold sessions, provisions added	391	1817
Prince George's County –		
Judges, qualifications altered	394	1824
Oysters —		
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Illegal harvesting activities, revocation of tidal fish license for commercial oyster harvesting of person receiving citation for, provisions added	427	2567
	428	2569
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Oyster habitat restoration projects, bond funds for	396	2153
Restoration of native oysters in the Chesapeake Bay, appropriation for	395	2110
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish,		

	Chapter	Page
provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701

P

Palm Reading SEE Fortunetelling
Parent and Child SEE Family Law
Parental Rights and Responsibilities SEE Family Law
Park and Planning Commission SEE Maryland–National Capital Park and Planning Commission
Parking —
Baltimore County –
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores 386 1786
Motorcycle parking in vehicle parking facilities that are owned, leased, or operated by, or receive funding from, the State or a political subdivision, requirements added 389 1805
Parking facilities, appropriation for 395 1871
Parks SEE Forests and Parks
Parochial Schools SEE Private Schools
Parole and Probation —
Animal abuse, neglect, or cruelty violations, court authorized to prohibit violators from owning, possessing, or residing with an animal as a condition of probation 26 192
27 194
Community Surveillance and Enforcement Program, appropriation for 395 1952
Firearms, use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered..... 164 741
165 744
Graduated administrative sanctions for violations of parole by releasees from the Division of Corrections, development of pilot program and reports required..... 554 3279
555 3287
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added 224 1043
225 1046
Parole and Probation, Division of, appropriation to 395 1951
2060
Parole Commission, appropriation to 395 1950
2050
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered..... 623 3613
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added 361 1706
Pre–parole investigation process for local inmates, report

	Chapter	Page
required on proposed changes	395	1951
Revocation of parole, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Risk assessment tools used for parole guidelines and number of times a parole commissioner overrides a decision derived from a risk assessment tool, report required	395	1950
Supervision fee for individuals supervised by Division of Parole and Probation, increased	397	2264
Supervision fee for probationers, increased	397	2265
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
Partnerships —		
Motor fuel tax, interest, and penalties, personal liability of certain members of limited liability companies and partners of limited liability partnerships for payment of, provisions added	31	206
Patapsco River SEE Rivers and Streams		
Patients —		
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456	2703
	457	2708
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Hearing aid health insurance benefit, insured allowed to choose a hearing aid that is priced higher than the policy benefit limit and pay the cost difference	526	3130
	527	3132
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions		

	Chapter	Page
on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579
Patuxent Institution —		
Appropriation to	395	1952
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered	623	3613
Patuxent River SEE Rivers and Streams		
Pawnshops —		
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Prince George's County –		
Precious metal object dealers, required period of time for holding certain precious metal objects, provisions altered	306	1510
	307	1512
Secondhand precious metal object dealers and pawnbrokers, license and renewal fees increased	321	1557
Secondhand precious metal object dealers, length of time items in a transaction must remain tagged, and procedures for dealer to amend a record required to be submitted to law enforcement, provisions added; exemption of certain retail jeweler transactions from dealer license provisions	379	1766
Peace Orders SEE Protection Orders		
Peddlers SEE Transient Merchants		
Pedestrians —		
Bicycle and Pedestrian Advisory Committee, location and frequency of meetings, provisions altered	40	234
Frederick County –		

	Chapter	Page
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Prince George's County –		
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Penalties and Sentences —		
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Carroll County –		
Fortune–telling prohibition, provisions repealed	147	687
Child neglect, misdemeanor crime established	398	2391
	399	2399
Cigarettes, sale or distribution of unpackaged cigarettes prohibited	22	180
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Criminal Sentencing Policy, State Commission on, appropriation to	395	1841
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electronically printed payment device receipts that are provided to merchants and purchasers, information that may be printed on, restrictions added	595	3489
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Engine coolant or antifreeze that contains more than a certain		

	Chapter	Page
percentage of ethylene glycol, sale prohibited unless it contains a certain amount of denatonium benzoate, provisions added	606	3551
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Firearms –		
Removal or alteration of identification mark or number, specified as a misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
Use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered	164	741
	165	744
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Harassment, maximum penalty increased for second or subsequent offense	342	1628
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Household dishwashing detergent that contains more than 0.5% phosphorus by weight, penalty for sale or distribution, provisions altered	285	1427
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016
Identity fraud, assuming the identity of a fictitious person for certain purposes, prohibited	70	384
	71	385
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661

	Chapter	Page
Lead risk reduction in housing, requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or State law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered	623	3613
Parole revocation, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Peace orders violations, penalty increased, for second or subsequent offense, for violating an interim, a temporary, or a final peace order	68	382
	69	383
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441	2654
	442	2659
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Property markers, penalty increased for willfully obliterating, damaging, or removing	33	214
	34	215
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Striped bass, penalties for large–scale poaching, provisions added	619	3604
Uniform Anatomical Gift Act, established to regulate donations		

	Chapter	Page
of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added; regulations required	232	1068
	233	1070
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Pension Systems SEE Retirement Systems		
People's Counsel SEE Ombudsmen; Public Service Commission		
Permits SEE Building Permits; Licenses		
Personal Property —		
Homeowner's insurance, discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Personal Representatives —		
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Pest Control —		
Forest pest management, appropriation for	395	1899
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Mosquito control, appropriation for	395	1899
Pesticide regulation, appropriation for	395	1899
Plant Industries and Pest Management, Office of, appropriation to	395	1899
		2058
Plant protection and weed management, appropriation for	395	1899
Petitions —		
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Petroleum SEE Fuel		
Pets SEE Animals		

	Chapter	Page
Pharmacists and Pharmacies —		
Board of Pharmacy –		
Fund, transfer of funds to the General Fund	397	2377
Procurement of sequel–based database system, appropriation for	395	2111
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Pharmacy benefit managers, recoupment of claims payment based on a minor error, prohibited; recoupment of claims overpayments and payment of discovered underpayment, provisions clarified	568	3365
	569	3371
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Pharmacy Benefits Managers —		
Recoupment of claims payment based on a minor error, prohibited; recoupment of claims overpayments and payment of discovered underpayment, provisions clarified	568	3365
	569	3371
Physical Therapists —		
Board of Physical Therapy Examiners Fund, transfer of funds to the General Fund	397	2378
Definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441	2654
	442	2659
Physicians —		
See also Dentists; Medical Examiners		
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
County health officer authorized to enter into written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, or otherwise deliver health care services in the State	235	1073
	236	1075
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514

	Chapter	Page
	309	1522
Health care practitioner performance evaluation in hospitals and freestanding ambulatory care facilities, requirements added	587	3443
Health care practitioners who fail to comply with Governor's order to participate in disease surveillance, treatment, and suppression efforts relating to catastrophic health emergencies, exemption from criminal penalty; authority of health occupations board to discipline, provisions added	230	1063
	231	1065
Health care provider application to participate on provider panel of carrier, notification of health care provider by carrier when complete application is received, provisions added	528	3135
	529	3138
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Incentives for adoption and use of electronic health records by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Loan Assistance Repayment Program, appropriation for	395	1976
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
State Board of Physicians –		
Appropriation to	395	1905
Fund, transfer of funds to the General Fund	397	2378
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland		

	Chapter	Page
Anatomical Gift Act, repealed	541	3196
Piers and Docks —		
See also Marinas		
Accokeek Foundation, previous bond funds altered	396	2232
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Pilots and Docking Masters —		
Vessel draft lengths for categories of limited pilotage licenses, provisions altered	443	2663
Pilots, Board of SEE Pilots and Docking Masters		
Pinball Machines SEE Gaming		
Pistols SEE Guns		
Planning SEE Zoning and Planning		
Planning, Department of —		
Agricultural Land Preservation Foundation, disposition of real property under the Critical Farms Program, provisions altered; Critical Farms Fund established	581	3426
Appropriation to	395	1845 2020 2054 2071 2072 2073 2074 2076 2077 2078 2079 2080 2105 2139
Program Open Space –		
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Use of State share of funding for administration expenses, provisions altered	397	2297
Spring Grove Hospital Center redevelopment plan, appropriation for; report required	395	1912
Plant Closings SEE Industry and Technology		
Plumbing —		
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Podiatrists —		
State Board of Podiatric Medical Examiners –		
Termination date of statutory provisions and regulations extended; evaluation required; report required from Board	419	2537
Unannounced inspections of offices of certain podiatrists against whom a complaint has been filed regarding		

	Chapter	Page
violation of guidelines on universal precautions, requirements added	180	849
	181	850
Point System SEE Drivers' Licenses		
Poisons SEE Hazardous and Toxic Substances		
Police SEE Law Enforcement; State Police, Department of		
Police Training Commission —		
Appropriation to	395	1952
		2122
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
Political Candidates —		
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Electioneering boundaries at polling places in Carroll and Montgomery counties, provisions altered	344	1633
Electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Independent expenditures and electioneering communications, reporting requirements added	575	3388
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Political Committees —		
Electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to		

	Chapter	Page
be considered by the District Council, prohibitions and disclosure provisions added	91	513
Political Contributions SEE Campaign Financing		
Political Parties —		
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Pollution —		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered	112	565
Air and Radiation Management Administration, appropriation to	395	2000
		2062
		2132
Chesapeake Bay restoration expenditures and funding, reports and budget book requirements added	395	2093
Clean Air Fund, transfer of funds to the General Fund	397	2378
Climate change and reduction of greenhouse gas emissions, how revenues from the Strategic Energy Investment Fund are being used to further, report required	395	2000
Commercial dishwashing detergents that contain more than a certain amount of phosphorus, prohibition on use, sale, manufacture, or distribution, provisions altered	447	2675
	448	2676
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226	1049
	227	1050
Nitrogen–removal technologies for on–site sewage disposal systems, evaluation and ranking by Department of the Environment, provisions added	454	2699
	455	2701
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701
Water quality monitoring stations in streams that originate outside Maryland, appropriation for	395	1894

	Chapter	Page
Water Quality Revolving Loan Fund –		
Bond funds for water quality improvement projects	396	2160
Capital appropriation	395	1998
Ports —		
Port Administration, appropriation to	395	1881
		2049
Postal Service —		
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Former Ellicott City Post Office, bond funds for	396	2175
Postmortem Examiners SEE Medical Examiners		
Potomac River SEE Rivers and Streams		
Poultry SEE Meat, Poultry, Seafood		
Power Plants —		
Assessment Program, appropriation for	395	1893
Precious Metals and Stones —		
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Prince George's County –		
Precious metal object dealers, required period of time for holding certain precious metal objects, provisions altered	306	1510
	307	1512
Secondhand precious metal object dealers and pawnbrokers, license and renewal fees increased	321	1557
Secondhand precious metal object dealers, length of time items in a transaction must remain tagged, and procedures for dealer to amend a record required to be submitted to law enforcement, provisions added; exemption of certain retail jeweler transactions from dealer license provisions	379	1766
Prescription Medication SEE Drugs		
Press SEE News Media		
Pretrial Detention or Release —		
Bail bonds, requirements for return of forfeited bond or collateral to a surety, provisions altered	598	3503
Baltimore City Detention Center –		
Appropriation to	395	1954
Bond funds for	396	2155
Central Booking and Intake Facility, appropriation to	395	1954
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Population analysis findings and identification of number of beds to be provided in the new Youth Detention Facility, report required	396	2208
Pretrial Detention and Services, Division of, appropriation to	395	1953
		2061
Youth Detention Facility, bond funds for	396	2218
		2222
Prevailing Wage SEE Salaries		
Prices —		
Consumer education by Public Service Commission about		

	Chapter	Page
customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Health Insurance –		
Carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Premium rates, mechanism for identifying hospital rate adjustments and assessments as components to be considered in reviewing and approving, report required	395	1853
Hearing aid health insurance benefit, insured allowed to choose a hearing aid that is priced higher than the policy benefit limit and pay the cost difference	526	3130
	527	3132
Homeowner's insurance, explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added	154	714
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Leased motor vehicles, prohibited advertising practices relating to calculation of a base lease payment and capitalized cost reduction, provisions added	367	1733
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Motor fuel advertising signs at retail service stations, requirements altered	25	189
Net energy metering, accrual of net excess generation and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added	405	2421
	406	2427
Nitrogen–removal technologies for on–site sewage disposal systems, evaluation and ranking by Department of the Environment, provisions added	454	2699
	455	2701
Washington County –		
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of		

	Chapter	Page
costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Worcester County –		
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Primary Elections SEE Elections		
Prince George's County —		
Alcoholic Beverages –		
Class B–DD (Development District) licenses, maximum number authorized for certain areas, provisions altered; issuance of one other Class B license located anywhere in the county for each Class B–DD license issued, provisions added	375	1755
Entertainment permits, exemption added for certain alcoholic beverages license holders; other provisions clarified	613	3581
Alliance of Southern Prince George's Communities, Inc., appropriation to	395	1964
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Health System, appropriation for	395	2015
Maryland–National Capital Park and Planning Commission six–year capital improvements program, annual deadline for submission to Prince George's County Council, altered	351	1659
Municipal corporations, authorized to establish revitalization districts and grant property tax credit against municipal property tax on property in districts	476	2773
Orphans' Court judges, qualifications altered	394	1824
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Precious metal object dealers, required period of time for holding certain precious metal objects, provisions altered	306	1510
	307	1512
Prince George's Hospital, appropriation for	395	2015
Property tax assessment appeal board, number of alternate members increased	10	153
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts–of–interest, and Board of Ethics	72	387
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576

	Chapter	Page
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
State Bonds –		
Accokeek Foundation, previous bond funds altered	396	2232
African American Museum and Cultural Center	396	2190
Arthur & Mary E. Ridgley, Sr. Museum	396	2190
Battle of Bladensburg Visitor Center and Monument	396	2179
Berkshire Neighborhood Park	396	2179
Bowie State University –		
Campuswide site improvements	396	2156
Field house renovation and addition	396	2157
Fine and Performing Arts Building	396	2156
Football stadium field lights	396	2157
Capitol College, previous bond provisions altered	396	2205
Capitol Heights Seat Pleasant Boys and Girls Club	396	2179 2190
Community safety surveillance systems	396	2179
Crossland High School, football stadium press box	396	2191
District Heights field renovation, previous bond provisions altered	396	2239 2242
Ebenezer Community Life Center, previous bond provisions altered	396	2224 2233
Forestville Military Academy Track, previous bond provisions altered	188	863
Greenbelt Arts Center	396	2191
Intercounty Connector	396	2162
Ivy Youth and Family Center, previous bond provisions altered	396	2230
Joe's Movement Emporium	396	2179
John E. Feggans Center renovation, previous bond provisions altered	396	2245 2247
Largo High School PTSA track renovation, previous bond provisions altered	187	861
Laurel Armory Anderson Murphy Community Center	396	2180
Laurel Police Department Facility Community Space	396	2191
Marleigh Community Safety and Surveillance System, previous bond provisions altered	396	2245
Maryland–National Capital Park and Planning Commission field lights	396	2191
Mount Rainier civic center	396	2191
My Sister's Keeper group homes	396	2180 2191
National Children's Museum, previous bond provisions altered	396	2164 2237 2240
New Horizons Disability Job Training and Recycling Center	396	2192

	Chapter	Page
Olde Mill Community and Teaching Center, previous bond provisions altered	396	2243
Palmer Park Boys and Girls Club, previous bond provisions altered	396	2225
Prince George's Community College –		
Center for Health Studies, previous bond provisions altered	396	2212
Circulation/roadway modifications, previous bond provisions altered	396	2212
Prince George's County Hospital System, bond funds for; report required	396	2164
Riverdale Park Town Hall	396	2180 2192
St. Ann's Infant and Maternity Home	396	2165
St. Mary's School gymnasium and multi–purpose room, previous bond provisions altered	396	2209
South Bowie Boys and Girls Club concession stand, previous bond provisions altered	396	2240
University of Maryland, College Park –		
Campuswide infrastructure improvements	396	2156
Physical Sciences Complex	396	2156 2218
Physical Sciences Complex, previous bond provisions altered	396	2212 2214
Tawes Building conversion, previous bond provisions altered	396	2203
Vesta Glenarden facility	396	2180
Whitemarsh Turf Field, previous bond provisions altered	396	2180 2243
Youth Detention Facility	396	2220 2222
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Principals SEE Teachers		
Prisoners —		
Adult Corrections Program, appropriation for	395	1937
Correctional Litigation Division of the Office of the Attorney General, appropriation to	395	1834
Graduated administrative sanctions for violations of parole by releasees from the Division of Corrections, development of pilot program and reports required	554 555	3279 3287
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Inmate access to personal information of others through participation in Maryland Correctional Enterprises		

	Chapter	Page
programs, prohibited	358	1695
Inmate Grievance Office, appropriation to	395	1952
Inmate population reduction plan and report, requirements added	395	1943
Maryland House of Correction deconstruction, report required on how inmate labor will be used for	396	2154
Medicaid eligibility of inmates, report required	395	2092
Medical care costs, appropriation for	395	2121
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224	1043
	225	1046
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered	623	3613
Parole revocation, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added	361	1706
Pre–parole investigation process for local inmates, report required on proposed changes	395	1951
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Prisons SEE Correctional Institutions; Juvenile Facilities; Patuxent Institution		
Privacy —		
Civil action against person who had applicable insurance coverage at time of alleged liability, certification that is required before defendant's insurer must disclose defendant's last known address to plaintiff, provisions altered	184	854
Court files and records relating to unserved arrest warrants and charging documents, access by Department of Juvenile Services expanded	15	165
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Electronically printed payment device receipts that are provided to merchants and purchasers, information that may be printed on, restrictions added	595	3489

	Chapter	Page
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Homeowner's insurance, explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added	154	714
Inmate access to personal information of others through participation in Maryland Correctional Enterprises programs, prohibited	358	1695
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield court records relating to	119	594
Physician information, disclosure to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Senior citizen activity centers, denial of inspection of certain parts of public records of individuals enrolled in or members of, provisions added	438	2648
	439	2650
Uniform Anatomical Gift Act, established to regulate donations		

	Chapter	Page
of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added	592	3480
Private Review Agents SEE Health Planning and Cost Review		
Private Schools —		
Ivymount School Annex Building, bond funds for	396	2176
		2189
Linwood Center, bond funds for	396	2167
		2182
Maryland School for the Blind –		
Appropriation to	395	1964
Bond funds for	396	2165
		2220
Milford Mill Academy sign, previous bond provisions altered	396	2209
Nonpublic school aid for textbooks or electronically delivered learning materials, appropriation for	395	1965
Orthodox Congregation of Silver Spring, bond funds for preschool building	396	2178
Policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged	486	2870
	487	2875
St. Elizabeth School, bond funds for roof	396	2172
		2186
St. Mary's School gymnasium and multi–purpose room, previous bond provisions altered	396	2209
Privileged Communications —		
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Probation SEE Parole and Probation		
Process Serving —		
Civil action against person who had applicable insurance coverage at time of alleged liability, certification that is		

	Chapter	Page
required before defendant's insurer must disclose defendant's last known address to plaintiff, provisions altered	184	854
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Procurement —		
Baltimore County –		
Board of Education, development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189	864
	190	867
Capital leases used to finance energy performance contracts, excluded from tax–supported debt; use by Treasurer authorized; and lease or contractor payments prohibited from exceeding certain energy savings	163	738
eMaryland Marketplace legacy system, appropriation for modification	395	2108
Hospitals or institutions of higher education that receive at least $500,000 in State bond funding, required to submit report on use of minority business contracts and outreach efforts	396	2194
Jane Lawton Farm–to–School Program, annual report on types and amounts of products purchased from State farms by local schools, requirements added	140	658
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Minority Business Enterprise Program –		
Amendment of participation schedule that is submitted with bid or offer, provisions altered; Task Force on the Minority Business Enterprise Program and Equity		

	Chapter	Page
Investment Capital, termination date and report deadline extended	254	1168
Participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Prevailing wage, appropriation for	395	1935
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Procurement and Logistics, Office of, appropriation to	395	1871
		2108
Procurement Policy and Administration, Division of, appropriation to	395	1862
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Solicitation for service contract for janitorial services, regulations that require a bidder or offeror to delineate its costs by certain categories, adoption required	339	1619
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Program Open Space —		
Bond debt service payments, appropriation for	395	2046
Bond funds for	396	2152
		2217
		2221
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Heritage Areas Authority, use of Program Open Space funds to pay operating expenses in fiscal 2012, provisions added	397	2281
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and		

	Chapter	Page
Recreation Plan, provisions altered	410	2470
Local governing body use of future annual Program Open Space funding for development projects after acreage acquisition goals have been attained, provisions altered	470	2758
Previous bond provisions altered	396	2211
		2214
Use of State share of Program Open Space funding for administration expenses, provisions altered	397	2297
Proper Names SEE Names		
Property SEE Abandoned Property; Personal Property; Real Property		
Property Tax —		
Anne Arundel County –		
Tax credit for certain real property leased to public charter schools, provisions added	95	522
Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general	298	1480
	299	1480
Assessment appeal boards, number of alternate members increased for Anne Arundel, Baltimore, Montgomery, and Prince George's counties and Baltimore City	10	153
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
Baltimore County –		
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Frederick County –		
Property tax setoff, grant to municipal corporations, provisions extended to fiscal 2013	542	3232
Habitat for Humanity, local tax credit provisions altered	130	634
Prince George's County –		
Municipal corporations authorized to establish revitalization districts and grant property tax credit against municipal property tax on property in districts	476	2773
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Semiannual property tax payment schedule for business property, eligibility provisions altered	593	3483
Tax Credit Programs, appropriation for	395	1860
Video lottery terminals and associated equipment and software, exemption from personal property tax, provisions added	240	1083
Property Tax Assessment Appeal Boards SEE Assessment Appeal Boards		
Prostitution —		
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016

	Chapter	Page
Protection Orders —		
Award of temporary possession of a pet of a person eligible for relief or a respondent in an interim or a temporary or final protective order, provisions added	283	1415
	284	1421
Court records relating to peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield	119	594
Electronic notification of service of interim or temporary protective order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary protective orders, requirements added	103	545
Peace Orders –		
Extension of term of final order, provisions added	57	272
	58	273
Penalty increased, for second or subsequent offense, for violating an interim, a temporary, or a final peace order	68	382
	69	383
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711
Psychologists —		
Definition of "psychologist" altered for purposes of certain provisions of law regarding admissions to mental health facilities	63	280
State Board of Examiners of Psychologists –		
Fund, transfer of funds to the General Fund	397	2377
Termination date of statutory provisions and regulations extended; evaluation required; reports required	574	3385
Public Assistance SEE Welfare		
Public Broadcasting Commission —		
Accounts, transfer of funds to the General Fund	397	2378
Appropriation to	395	1969
		2039
		2071
		2073
		2076
		2077
		2078
		2081
		2139
		2140
Digital Interconnection Network System, previous bond provisions altered	396	2198
Public Buildings and Facilities —		
See also Stadiums; State House		
Accessibility modifications to State buildings and facilities, bond funds for	396	2148
Calvert County –		
Public facilities bonds, authorized	150	704
Carroll County –		
Public facilities bonds, authorized	117	587
Facilities Operation and Maintenance, Office of, appropriation		

	Chapter	Page
to	395	1870 2057
Facilities Planning, Design and Construction, Office of, appropriation to	395	1872 2057
Facilities Security, Office of, appropriation to	395	1870
Laurel Armory Anderson Murphy Community Center, bond funds for	396	2180
Laurel Police Department Facility Community Space, bond funds for	396	2191
Lowe House Office Building –		
Bond funds for	396	2148
Previous bond provisions altered	396	2210 2214
Maryland–National Capital Park and Planning Commission six–year capital improvements program, annual deadline for submission to Prince George's County Council, altered	351	1659
Motorcycle parking in vehicle parking facilities that are owned, leased, or operated, or receive funding from, the State or a political subdivision, requirements added	389	1805
Mount Rainier civic center, bond funds for	396	2191
North Beach Public Works Building, bond funds for	396	2173
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Parking facilities, appropriation for	395	1871
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Public use facilities on State–owned property, bond funds for capital improvements	396	2152
Reimbursable lease management, appropriation for	395	1871
Riverdale Park Town Hall, bond funds for	396	2180 2192
Salisbury City Park, previous bond provisions altered	396	2228
Saratoga State Center, capital appropriation	395	1871
Somerset County –		
Sale of certain county property at private sale to the city of Crisfield and to the American Legion – Stanley Cochrane Post #16, provisions added	544 545	3235 3236
Spring Grove Hospital Center redevelopment plan, appropriation for; report required	395	1912
State House –		
Exhibits, bond funds for	396	2148
Old Senate Chamber, bond funds for	396	2148 2217
State Office Building #3, previous bond provisions altered	396	2203
Tri–County Multi–Purpose Center, bond funds for	396	2181 2192

Public Corporations and Instrumentalities —

	Chapter	Page
African American Museum Corporation –		
Appropriation to	395	1991
Financial efficiencies that may be achieved given reduced attendance numbers and plan for potential self sufficiency, report required	395	1991
Agricultural and Resource–Based Industry Development Corporation –		
Appropriation to	395	1898 2026
Required annual appropriations for rural business development and assistance, provisions altered	397	2266
Canal Place Preservation and Development Authority, appropriation to	395	1853 2072 2077
Heritage Areas Authority, use of Program Open Space funds to pay operating expenses in fiscal 2012, provisions added	397	2281
Industrial Development Financing Authority, appropriation to	395	1994
Maryland Economic Development Corporation –		
Spring Grove Hospital Center redevelopment plan, appropriation for; report required	395	1912
Transfer of funds from Racetrack Facility Renewal Account, provisions added	397	2380
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1 2	1 40
Small Business Development Financing Authority, appropriation to	395	1993 2130
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
Technology Development Corporation, Maryland, appropriation to	395	1996
Public Debt —		
Capital leases used to finance energy performance contracts, excluded from tax–supported debt; use by Treasurer authorized; and lease or contractor payments prohibited from exceeding certain energy savings	163	738
Consolidated transportation bonds and nontraditional debt, limitations and report, provisions added	395	1879
Program Open Space bond debt service payments, appropriation for	395	2046
State bonds, appropriation for redemption and interest on	395	2014 2046 2134
Transportation debt service requirements, appropriation for	395	1880
Washington County –		
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of		

	Chapter	Page
costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Public Defender SEE Legal Aid		
Public Employees —		
See also State Employees		
Administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency, payment of pro rata share by local school boards and community colleges, provisions added	397	2387
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Baltimore City –		
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
Baltimore County –		
Public school employee collective bargaining unit for administrative and supervisory certificated and noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473	2762
	474	2767
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Public School Employees –		
Discrimination in employment, provisions conformed to other provisions of State law governing discrimination in employment	322	1558
Fringe benefits, appropriation for State aid for	395	1960
		2081
St. Mary's County –		
Metropolitan Commission, commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
State Retirement and Pension System –		
Provisions to simplify the administration of, added	591	3474
Retiree reemployment earnings offset, reduction prohibited from exceeding an amount that would reduce retiree's		

	Chapter	Page
allowance to less than what is required to pay retiree's monthly medical insurance premiums	136	644
Retirees who are reemployed by last employer prior to retirement, number of years of retirement required for eligibility for exemption from earnings offset of retirement allowance, provisions altered	106	550
Supplemental retirement plans established by State universities and colleges or the Higher Education Commission for employees and community colleges, methods for making employee contributions to accounts, provisions altered	337	1614
Uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Public Information —		
Access to public records in a searchable and analyzable electronic format, provisions added	536	3174
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Baltimore County –		
Board of Education, development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Baltimore County Board of Education, Task Force on the Membership and Operation of the, established; report required	459	2715
	460	2718
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added	500	2955
	501	2968
Certificate of need requirements for closure or partial closure of health care facilities other than hospitals, provisions added	176	836
Composting, posting of educational and promotional information on Department of the Environment Web site, and study and report requirements added	363	1711
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899

	Chapter	Page
	203	905
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added ...	352	1661
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered.....	484	2810
	485	2840
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Informational form that lists and explains the various paths to obtaining teacher tenure and certification in the State, development and posting to Web site by State Department of Education, and provision to military spouse as assistance in finding employment, provisions added	517	3036
	518	3040
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40

	Chapter	Page
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Montgomery County –		
Beer and wine sampling or tasting (BWST) license, issuance to holder of Class A (liquor stores) license authorized, including in the City of Takoma Park	346	1638
Nitrogen–removal technologies for on–site sewage disposal systems, evaluation and ranking by Department of the Environment, provisions added	454	2699
	455	2701
Peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield court records relating to	119	594
Primary election dates altered to allow compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act; provisions for candidacy deadlines and ballot content and arrangement altered	169	786
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Retirement Agency, State, notification of former members, retirees, and beneficiaries of the State Retirement and Pension System who are due unclaimed money through publication of names of individuals and employers, provisions added	60	276
Senior citizen activity centers, denial of inspection of certain parts of public records of individuals enrolled in or members of, provisions added	438	2648
	439	2650
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001

Public Officials —

	Chapter	Page
See also Attorney General; Comptroller; County Commissioners; County Councils; County Executives; Governor; Lieutenant Governor; Secretary of State; State Prosecutor; State's Attorneys; Treasurers		
Baltimore City –		
Health Department employees and officials, Police Commissioner, Police Department civilian employees and police officers, and Civilian Review Board members and employees, subjected to city public ethics laws and not the State's; certain financial disclosure requirements repealed	327	1576
County health officer authorized to enter into written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, or otherwise deliver health care services in the State	235	1073
	236	1075
Executive Pay Plan –		
Positions, quarterly reports required	395	2088
Salary schedule for fiscal 2012	395	2052
Transportation Department, salary schedule for fiscal 2012	395	2063
Fire Marshal, appropriation to	395	2013
Nonclassified State government positions, appropriation for salaries	395	2047
Persons holding two public offices simultaneously, compensation for second office prohibited	395	2050
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
St. Mary's County –		
Metropolitan Commission, commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Secretary or acting secretary of any department whose nomination as secretary has been rejected by the Senate, or acting secretary serving as such prior to the 2011 session whose nomination was not put forward and approved by the Senate in the 2011 session, funding of salary prohibited	395	2088
State Archivist, appropriation for	395	2055
State Chemist, appropriation to	395	1899
Public Safety SEE Safety		
Public Safety and Correctional Services, Department of —		
Appropriation to	395	1939
		2036
		2060
		2071
		2073
		2076
		2077
		2078
		2081
		2092
		2121
		2139

	Chapter	Page
		2140
Graduated administrative sanctions for violations of parole by releasees from the Division of Corrections, development of pilot program and reports required	554	3279
	555	3287
Inmate population reduction plan and report, requirements added	395	1943
Law Enforcement Officers' Bill of Rights extended to apply to members of the Internal Investigation Unit of the Department of Public Safety and Correctional Services	39	231
Maryland House of Correction deconstruction, report required on how inmate labor will be used for	396	2154
Medicaid eligibility of inmates, report required	395	2092
Monthly supervision fee for offenders who are supervised by the Division of Parole and Probation, notice to supervisee regarding application for exemption, requirements added	224	1043
	225	1046
Parole revocation, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Population analysis findings and identification of number of beds to be provided in the new Youth Detention Facility, report required	396	2208
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Public Schools —		
Aging Schools Program –		
Appropriation for	395	1843
Bond funds for	396	2149
Source of funding for county grants, provisions added	397	2269
Annapolis High School, bond funds for stadium upgrades	396	2166
Anne Arundel County –		
Property tax credit for certain real property leased to public charter schools, provisions added	95	522
Annual board of education budget request of each county for funding from local revenues, provisions altered	397	2267
Athletic competitions sanctioned by a county board of education, minimum academic performance standards that public high school students must meet for participation in, report required	335	1607
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Baltimore City –		

	Chapter	Page
Board of School Commissioners, annual report requirement repealed	319	1553
School construction bonds issued by Board of School Commissioners, maximum maturity date increased; report required on long–term plan for alignment of school facilities with projected enrollments and educational programs	583	3434
Baltimore County –		
Board of Education, development and operation of a searchable Web site that includes Board payment data, requirements added	105	548
Public school employee collective bargaining unit for administrative and supervisory certificated and noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473	2762
	474	2767
Bates Middle School, bond funds for gymnasium and theatre renovations	396	2166
Bel Alton High School Community Development Center, bond funds for	396	2173
Charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Comet Booster Club Concession Stand, bond funds for	396	2186
Construction –		
Alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation for	572	3380
Bond funds for	396	2149
Previous bond provisions altered	396	2207
Crossland High School, bond funds for football stadium press box	396	2191
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Discrimination in the employment of public school employees, provisions conformed to other provisions of State law governing discrimination in employment	322	1558
Employee fringe benefits, appropriation for State aid for	395	1960
		2081
Food Services Program, appropriation for	395	1963
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Jane Lawton Farm–to–School Program, annual report on types and amounts of products purchased from State farms by local		

	Chapter	Page
schools, requirements added	140	658
Maryland School for the Deaf –		
Columbia Campus, appropriation to	395	1986
		2071
		2073
		2074
		2076
		2078
		2079
		2081
		2128
Frederick Campus –		
Appropriation to	395	1985
		2061
		2071
		2073
		2074
		2076
		2078
		2079
		2081
		2128
Elementary, Family Education, and Student Support Services Complex, previous bond provisions altered	396	2202
Fire alarm and emergency notification system, bond funds for	396	2158
Prince George's County –		
Board of Education payment data, public disclosure on a searchable Web site, requirements added	488	2879
	489	2881
Forestville Military Academy Track, previous bond provisions altered	188	863
Largo High School PTSA track renovation, previous bond provisions altered	187	861
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576
Public School Labor Relations Board, appropriation for	395	2018
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Qualified zone academies, bond funds for	96	523
Randallstown High School dark room, previous bond provisions altered	396	2210
Residential boarding education programs for at–risk youth, funding provisions altered	503	2985
	504	2987
School Construction, Interagency Committee for, appropriation to	395	1842
		2054
		2071
		2075
		2080

	Chapter	Page
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
School technology, appropriation for	395	1963
School transportation, appropriation for	395	1963
South River High School, bond funds for media center	396	2170
Southern and Broadneck High School field lights, previous bond provisions altered	396	2209
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
State Aid to Education –		
Appropriation for	395	1938
		1959
		2039
Guaranteed Tax Base Program, appropriation for	395	1959
		1962
		2125
		2137
Maintenance of effort noncompliance, application of penalty delayed until the fiscal year following county noncompliance	605	3549
State Share of Foundation Program, appropriation for	395	1959
		2039
		2124
Teacher development, appropriation for	395	1963
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Woodlawn High School, previous bond provisions altered	396	2210
Public Service Commission —		
Appropriation to	395	1835
		2048
		2053
		2072
		2073
		2077
		2078
		2104
		2140
Consumer education about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electric vehicles, pilot program for charging, establishment required; report required	403	2417

	Chapter	Page
	404	2419
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Net energy metering, accrual of net excess generation and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added	405	2421
	406	2427
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83	484
	84	488
Small rural electric cooperatives, distribution of funds from a rate relief account established under the Maryland Strategic Energy Investment Fund to organizations that provide assistance to low income residents, provisions added	18	172
	19	175
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
Public Utilities SEE Utilities		
Public Works —		
See also Bridges and Tunnels; Highways; Public Schools; Sidewalks; street lights		
Calvert County –		
Public facilities bonds, authorized	150	704
Carroll County –		
Public facilities bonds, authorized	117	587
Maryland–National Capital Park and Planning Commission six–year capital improvements program, annual deadline for submission to Prince George's County Council, altered	351	1659
Net energy metering eligibility extended to customer–generator that uses a closed conduit hydroelectric generating facility	47	247
North Beach Public Works Building, bond funds for	396	2173
Public Works, Board of —		
Appropriation to	395	1837
		2071
		2075
		2080
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Authorization of the creation of additional State employee positions, provisions and limitations added	395	2089

	Chapter	Page
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Procurement solicitation for service contract for janitorial services, regulations that require a bidder or offeror to delineate its costs by certain categories, adoption required	339	1619
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Public school construction, alcoholic beverages sales and use tax rate increase required to be used in fiscal 2012 for appropriation for	572	3380
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Publications —		
See also Textbooks		
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
System to comparatively evaluate the quality of care and performance of all categories of health benefit plans and annual publication of evaluation summary, requirements added	11	154
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144

Q

Queen Anne's County —

State Bonds –

	Chapter	Page
Chesterwye Center, Jessie's House	396	2180
Hospice of Queen Anne's, previous bond provisions altered	396	2245

R

Racing —		
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Commission, appropriation to	395	1936
Distribution and uses of Purse Dedication Account and Racetrack Facility Renewal Account altered to provide operating assistance to racing licensees and increased amounts for capital improvements; resolution of simulcasting agreement dispute and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Division of, appropriation to	395	1936
Facility Redevelopment Program, appropriation for	395	1936
Illegally driving a vehicle in a race or speed contest that results in serious bodily injury to another person, arrest without a warrant authorized and penalty increased	98	528
Racetrack Facility Renewal Account, transfer of funds to Maryland Economic Development Corporation, provisions added	397	2380
Revenue shares to local subdivisions, appropriation for	395	1936
Thoroughbred Racing Sustainability Task Force, established; report required	412	2497
Radiation —		
Air and Radiation Management Administration, appropriation to	395	2000 2062 2132
Physical therapists, definition of practicing physical therapy or limited physical therapy altered; license renewal notice via electronic mail authorized; maximum criminal fine for violating licensing law, increased	441 442	2654 2659
Radiation Control Fund, transfer of funds to the General Fund	397	2378
Radio —		
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Railroads —		
B&O Railroad Museum, appropriation to	395	1964
Criminally negligent manslaughter by vehicle or vessel, misdemeanor crime established	334	1606
Intermodal freight facility, report on the potential construction of, required	395	1875
Magnetic levitation technology rail system, prohibition on the study, development, construction, or operation of, provisions repealed	397	2376

	Chapter	Page
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Railroad safety and health, appropriation for	395	1935
Recycling program at transit stations, study and report relating to establishment required	134	639
Rape SEE Sexual Offenses		
Rates SEE Prices; Reimbursement Rates		
Real Estate —		
Brokers, associate brokers, and salespersons, provisions for reinstatement of expired licenses, reactivation of licenses placed on inactive status, and continuing education requirements for license renewal, altered	207	943
Brokers, deposit held on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Broker's designee, authorization to designate two members of a team as intracompany agents for the seller and the buyer in the same transaction, provisions added	153	713
Home builder, definition altered for purpose of home builder registration	43	241
	44	242
Home inspector license renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Minimum visitability features as an option for purchase in new home sales, requirements added	338	1615
Mortgage loan originators, making a payment, threat, or promise to a person to influence the person to violate federal or state law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Office of Real Estate, appropriation to	395	1871
		2057
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Real Property —		
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
Baltimore County –		
Tax sales, posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Carroll County –		

	Chapter	Page
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered.....	602	3532
Condominium bylaws that require all unit owners to maintain condominium insurance on their units, provisions added	138	655
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established.....	581	3426
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered.....	355	1670
Foreclosure sales, rent payment collection by foreclosure sale purchaser from tenants in possession of foreclosed residential property, restrictions added	245	1106
	246	1109
Home Inspectors –		
License renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Record retention requirements added.....	30	205
Homeowner's Insurance –		
Discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added.....	154	714
Homestead exemption in bankruptcy proceedings, expanded to include debtor's aggregate interest in a cooperative housing corporation that owns property that the debtor occupies as a residence and clarified to include owner–occupied condominium unit	32	210
Immunity from claims of creditors for certain former tenancy by the entirety property that is transferred to trustees of one or more trusts and proceeds of the property, and waiver of immunity, provisions added and altered	522	3120
	523	3123
Lost note affidavit, court acceptance in lieu of a copy of the debt instrument in an action to foreclose on residential property, affidavit content requirements added.....	477	2775
	478	2780
Mortgage loan originators, making a payment, threat, or		

	Chapter	Page
promise to a person to influence the person to violate federal or state law or standard of professional conduct or acting to impair a residential real estate appraiser's independence, objectivity, or impartiality, prohibited	97	526
Notice of intent to foreclose, affidavit accompanying order to docket or complaint to foreclose a mortgage or deed of trust on residential property required to state that contents of notice were accurate at the time it was sent	36	219
	37	222
Program Open Space –		
Future annual funding that is apportioned to a local governing body, use for development projects after acreage acquisition goals have been attained, provisions altered	470	2758
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Property markers, penalty increased for willfully obliterating, damaging, or removing	33	214
	34	215
Public charter schools, occupation and use of school sites and buildings that are no longer needed by county board of education for school purposes if property is not an integral part of existing economic development plan; property tax exemption for charter school property, provisions added	502	2981
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Recordation tax and State transfer tax, exemption for transfer of property to grandparent or stepgrandparent, provisions added	618	3603
Records Improvement Fund, transfer of funds to the General Fund	397	2377
Somerset County –		
Sale of certain county property at private sale to the City of Crisfield and to the American Legion – Stanley Cochrane Post #16, provisions added	544	3235
	545	3236
Realtors SEE Agents and Brokers		
Reclamation —		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered.	112	565
Recordation —		
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions		

	Chapter	Page
added	449	2678
Recordation tax and State transfer tax, exemption for transfer of property to grandparent or stepgrandparent, provisions added	618	3603
Recordings —		
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Records —		
See also Land Records; Vital Records		
Access to public records in a searchable and analyzable electronic format, provisions added	536	3174
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Court files and records relating to unserved arrest warrants and charging documents, access by Department of Juvenile Services expanded	15	165
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered	308	1514
	309	1522
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Electronic health records, incentives for adoption and use by health care providers, payment in cash by insurance carrier		

	Chapter	Page
unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Electronically printed payment device receipts that are provided to merchants and purchasers, information that may be printed on, restrictions added	595	3489
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Financial Regulation, Commissioner of, authorized to enter into cooperative and information–sharing agreements with State and federal law enforcement agencies and Office of Foreign Assets Control; disclosure of certain records restricted	109	555
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Home inspectors, record retention requirements added	30	205
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Inmate access to personal information of others through participation in Maryland Correctional Enterprises programs, prohibited	358	1695
Juvenile court records, access and use by Division of Pretrial Detention and Services, provisions added	102	540
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added	297	1477
Lost note affidavit, court acceptance in lieu of a copy of the debt instrument in an action to foreclose on residential property, affidavit content requirements added	477	2775
	478	2780
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Maryland Defense Force member eligibility for income tax		

	Chapter	Page
subtraction modification under the Honorable Louis L. Goldstein Volunteer Police, Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program, provisions added	221	1034
	222	1037
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
9–1–1 fee on wired lines, use to support the Computer Aided Dispatch/Records Management System project in the Maryland State Police, provisions added	397	2380
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Peace order or protective order proceedings in which petition is denied or dismissed, conditions altered under which a court must shield court records relating to	119	594
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Release of a person after arrest without the filing of a charge, report to Criminal Justice Information System Central Repository, requirement repealed	17	170
Secondhand precious metal object dealers, length of time items in a transaction must remain tagged, and procedures for dealer to amend a record required to be submitted to law enforcement, provisions added; exemption of certain retail jeweler transactions from dealer license provisions	379	1766

	Chapter	Page
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
Senior citizen activity centers, denial of inspection of certain parts of public records of individuals enrolled in or members of, provisions added	438	2648
	439	2650
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Tow companies, establishment and maintenance of list of companies that meet certain standards for use by Department of State Police, requirements added	365	1715
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Veterinary Medical Examiners, State Board of, authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added	592	3480
Waste kitchen grease, registration and records requirements for		

	Chapter	Page
transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Recreation SEE Sports and Recreation		
Recycling —		
Composting, posting of educational and promotional information on Department of the Environment Web site, and study and report requirements added	363	1711
Energy from waste–to–energy (formerly Tier 2) and refuse–derived fuel added as Tier 1 renewable sources, and facilities are eligible for inclusion in meeting the renewable energy portfolio only if connected with the electric distribution grid serving Maryland	519	3044
New Horizons Disability Job Training and Recycling Center, bond funds for	396	2192
Recycling program at transit stations, study and report relating to establishment required	134	639
Used Tire Cleanup and Recycling Fund, transfer of funds to the General Fund	397	2376
		2378
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Referendum —		
Prince George's County –		
Orphans' Court judges, qualifications altered	394	1824
Refugees SEE Aliens and Citizenship		
Refuse Disposal —		
See also Recycling		
Composting, posting of educational and promotional information on Department of the Environment Web site, and study and report requirements added	363	1711
Energy from waste–to–energy (formerly Tier 2) and refuse–derived fuel added as Tier 1 renewable sources, and facilities are eligible for inclusion in meeting the renewable energy portfolio only if connected with the electric distribution grid serving Maryland	519	3044
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Somerset County –		
Smith Island Solid Waste District, limitations on the amount of the solid waste disposal fee repealed	258	1181
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200
Regional Planning Council SEE Baltimore Metropolitan Council		
Registration —		
See also Motor Vehicle Registration		
Debt settlement services, provider registration and regulation		

	Chapter	Page
and consumer protection, provisions added	280	1376
	281	1394
Family day care providers, obsolete amnesty provisions for unregistered providers repealed	206	941
Home builder, definition altered for purpose of home builder registration	43	241
	44	242
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Lead risk reduction in housing, affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Mortgage lenders and mortgage loan originators, licensing, registration, and criminal history records and background checks, provisions altered	148	688
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Scale and meter registration fees, maximum fee per business location increased; unspent or unencumbered portion of Weights and Measures Fund at end of the year, required to remain in the fund	589	3469
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200

Regulations SEE Rules and Regulations

	Chapter	Page
Reimbursement Rates —		
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Children with disabilities, rate of payment for providers of nonpublic placements or providers with rates set by the Interagency Rates Committees, provisions altered	397	2385
Community Services Reimbursement Rate Commission, termination date extended	94	521
Developmental Disabilities Administration provider funding reduction as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services, provisions that prohibit, added	397	2389
Religion —		
Jewish Museum of Maryland, appropriation to	395	1965
Use of capital appropriations for the furtherance of sectarian religious instruction or worship, prohibited	396	2216
Renewable Energy Sources SEE Alternative Energy Sources		
Rent SEE Leases and Rent		
Reparations —		
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Reports —		
African American Museum Corporation, financial efficiencies that may be achieved given reduced attendance numbers and plan for potential self sufficiency, report required	395	1991
Agreements between State agencies and any public institution of higher education involving expenditures in excess of $100,000, reports required	395	2085
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Athletic competitions sanctioned by a county board of education, minimum academic performance standards that public high school students must meet for participation in, report required	335	1607
Attorney General, costs incurred by Division of Legal Counsel and Advice to support assistant attorneys general budgeted in other State units, report required	395	1832
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207

	Chapter	Page
Board of School Commissioners, annual report requirement repealed	319	1553
School construction bonds issued by Board of School Commissioners, maximum maturity date increased; report required on long–term plan for alignment of school facilities with projected enrollments and educational programs	583	3434
Baltimore City Community College degree or certificate program creation, elimination, or combination, report required	395	1979 1984
Baltimore County Board of Education, Task Force on the Membership and Operation of the, established; report required	459 460	2715 2718
Benefit limited liability companies, election by a limited liability company for purpose of creating a general public benefit, provisions added	500 501	2955 2968
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189 190	864 867
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Campaign finance online reporting system, funding from Fair Campaign Financing Fund, provisions altered	397	2376
Certificates of insurance, opinion letters or other documents for property and casualty insurance that contain false or misleading information or purport to amend or extend coverage, prohibitions added; impact of requiring a certificate of insurance form that must be filed and approved, study required	514 515	3014 3019
Certification of and report on status of State employee positions created with non–State funding sources, requirements added	395	2089
Charlotte Hall Veterans Home, authority to accept and spend certain gifts and grants, provisions added; reports required	199 200	891 893
Cheltenham Youth Facility, education services for youth at, reports on funding and transfer required	395	2009
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Child neglect, misdemeanor crime established	398 399	2391 2399
Climate change and reduction of greenhouse gas emissions, how revenues from the Strategic Energy Investment Fund are being used to further, report required	395	2000
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal		

	Chapter	Page
Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Composting, posting of educational and promotional information on Department of the Environment Web site, and study and report requirements added	363	1711
Consolidated transportation bonds and nontraditional debt, limitations and report, provisions added	395	1879
Construction–related permits requested from and issued by the Department of Natural Resources, Department of the Environment and State Highway Administration, report required	395	2095
Consumer arbitration, arbitration organization required to collect, publish, and make available to the public certain information regarding each consumer arbitration for which it performed an arbitration activity; consumer authorized to seek injunctive relief	216	1005
	217	1010
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required	202	899
	203	905
Control account for workers' compensation coverage debits and Injured Workers' Insurance Fund credits and withdrawals, establishment required; monthly reports required	395	2082
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Cultural diversity promotion and enhancement at institutions of higher education, submission deadlines altered for various reports and program plans	52	260
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456	2703
	457	2708
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Displaced homemakers multipurpose service center, mandatory periodical evaluation and report of programs changed to be discretionary	131	635
Education funding in the State, requirements for study of		

	Chapter	Page
adequacy altered	397	2375
Educational grants to the State's four historically black institutions, report required on how grant funds will be spent	395	1974
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electric Vehicles –		
Income tax credit for electric vehicle recharging equipment, provisions added	402	2414
Maryland Electric Vehicle Infrastructure Council, established; reports required	400	2407
	401	2410
Pilot program for charging electric vehicles, establishment required; report required	403	2417
	404	2419
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
Electronic health records, incentives for adoption and use by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required	532	3146
	533	3152
Employer use of credit reports or credit histories of employees and applicants for employment for certain purposes, restrictions added	28	196
	29	200
Employers and other payors of payments subject to income tax withholding, submission to Comptroller of annual withholding statement in machine–readable or electronic format, provisions altered	161	734
Executive Pay Plan positions, quarterly reports required	395	2088
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
Farebox recovery requirement, setting fare prices and collecting other operating revenues sufficient to achieve without reducing level of services, requirements added; report required	397	2363
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810

	Chapter	Page
	485	2840
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed..	516	3024
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered.....	355	1670
Foster care maintenance payments, accounting system and reporting requirements.....	395	2087
Full–time equivalent State positions, determination of total number authorized at end of fiscal 2011 and beginning of fiscal 2012, and report on creation, abolishment or transfer of regular and contractual positions, required	395	2090
Governor's Salary Commission, Judicial Compensation Commission, and General Assembly Salary Commission reports, required to include recommendations concerning appropriate pension benefit and member contribution levels .	397	2388
Governor's Workforce Investment Board, study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Health Care Reform project, appropriation for; reports required.	395	1866
Health insurance premium rates, mechanism for identifying hospital rate adjustments and assessments as components to be considered in reviewing and approving, Insurance Administration report required.....	395	1853
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Home care providers, collective bargaining rights for certain independent home care providers, provisions added.....	171	801
Home Improvement Commission and Maryland Mold Remediation Services Act, termination dates extended;		

	Chapter	Page
evaluations and Commission report required	333	1596
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Home inspectors, record retention requirements added	30	205
Hospital uncompensated care reduction, annual report provisions altered	397	2289
Hospitals or institutions of higher education that receive at least $500,000 in State bond funding, required to submit report on use of minority business contracts and outreach efforts	396	2194
Housing and Community Development Department headquarters relocation from Crownsville to undetermined location in Prince George's County, report required	395	1987
Immigrants in Maryland, Commission to Study the Impact of, termination date extended and report deadline altered	174	829
	175	832
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Indirect cost recoveries by State agencies, annual report and inclusion in agency fiscal/compliance audits required; disposition provisions added	395	2083
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Inmate population reduction plan and report, requirements added	395	1943
Insurance Administration, sunset evaluation deadline extended	418	2536
Intercollegiate athletics, reports required on the amount of general funds expended by University System of Maryland, Morgan State University, and St. Mary's College of Maryland on	395	1980
Intermodal freight facility, report on the potential construction of, required	395	1875
Invasive Plants Advisory Committee established; reports required	142	661
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Jane Lawton Farm–to–School Program, annual report on types and amounts of products purchased from State farms by local schools, requirements added	140	658
Judith P. Hoyer Early Child Care and Education Enhancement Program, annual report required to include additional information on participating agencies and programs and other information; report deadline altered	421	2545
Juvenile services and programs for females that are		

	Chapter	Page
substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447
Juvenile Services Department pending placement population data and number of youth held in secure detention beyond 30 days as a measure of assessing the need for out–of–home committed placements, report required	395	2003
Kennel license, requirements for breeders, record–keeping and reporting requirements for counties, and additional fees, provisions added.....	297	1477
Lead risk reduction in housing, requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of health insurance products that may be sold in conjunction with a life insurance policy and report, required	41	236
	42	238
Loaned educators, maximum length of engagement and financial disclosure statements, requirements added; reports required on number of loaned educator contracts, conversions to regular positions, and new contracts	395	1955
Local health department review process, report required on progress in implementing	395	1906
Long–term care eligibility determinations under Medicaid, report on development of streamlined process and progress reports on improving timeliness of eligibility determinations, requirements added	395	1919
Lottery, sale of traditional lottery games over the Internet, report required	395	1860
Low Income Home Energy Assistance Program, report on actions taken in response to a federal report and a State audit of the Family Investment Program, requirement added	395	1932
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required.....	215	970
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered.....	295	1463
Maryland court rules, amendment to strengthen protections for defendants in consumer debt collection cases, study and recommendations by Maryland Judiciary, provisions added...	332	1587
Maryland Defense Force member eligibility for income tax subtraction modification under the Honorable Louis L.		

	Chapter	Page
Goldstein Volunteer Police, Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program, provisions added	221	1034
	222	1037
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland House of Correction deconstruction, report required on how inmate labor will be used for	396	2154
Maryland Legal Services Corporation, report required on auditing procedures and grant spending tracking	395	1829
Maryland–National Capital Park and Planning Commission six–year capital improvements program, annual deadline for submission to Prince George's County Council, altered	351	1659
Maryland State Firemen's Association grants and loans to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Medicaid eligibility monitoring, updated memorandum of understanding between Departments of Health and Mental Hygiene and Human Resources required; report on new eligibility determination and enrollment systems that are required under federal health care reform, required	395	2092
Medicaid program funding, cost drivers, expenditure reduction, and expenditure growth reduction, workgroup and report required	395	1903
Medical care provider reimbursements, accounting system and reporting requirements	395	2087
Medication technician certification application processing and analysis of State Board of Nursing staffing, online program for, report required	123	610
Mental Hygiene Administration cost containment actions and impact of actions on access to care for persons with serious mental illness and on financial condition of providers, reports required	395	1910
Minority Business Enterprise Program and Equity Investment Capital, Task Force on the, termination date and report deadline extended	254	1168
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Net energy metering, accrual of net excess generation and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added	405	2421

	Chapter	Page
	406	2427
Newborn screening for critical congenital heart disease, adoption of federal recommendations required; study and report with recommendations for implementing screening required	552	3271
	553	3275
Nursing Home Administrators, State Board of Examiners of, termination date of statutory provisions and regulations, extended; membership altered; evaluation and report required	24	184
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Parole revocation, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Parole violations by releasees from the Division of Corrections, development of pilot program for graduated administrative sanctions and reports required	554	3279
	555	3287
Percutaneous coronary intervention (PCI), establishing a program or providing services in a hospital, restrictions added; report required on statutory changes needed for appropriate oversight of PCI services	616	3598
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Podiatric Medical Examiners, State Board of, termination date of statutory provisions and regulations extended; evaluation required; report required from Board	419	2537
Pre–parole investigation of an inmate in a local correctional facility by Division of Parole and Probation, deadline for completion and submission to Parole Commission, provisions added	361	1706
Pre–parole investigation process for local inmates, report required on proposed changes	395	1951
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prince George's County –		
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered	612	3576
Private school policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged	486	2870

	Chapter	Page
	487	2875
Problem Gambling Fund, allocation of funds to local health departments for problem gambling services and treatment and establishment of a network of clinically appropriate services for problem gamblers and a hotline for compulsive and problem gamblers, report required	395	1909
Professional Engineers, State Board for, termination date of statutory provisions and regulations extended; evaluation and Board report required	317	1548
Psychologists, State Board of Examiners of, termination date of statutory provisions and regulations extended; evaluation required; reports required	574	3385
Qualified State Long–Term Care Insurance Partnership Program, reporting requirements altered	8	149
	9	151
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Recidivism rates of children committed to the Department of Juvenile Services for placement in residential care, report requirements added	194	880
Recovery homes, Department of Health and Mental Hygiene required to identify standards for best practices and report findings	255	1176
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Recycling program at transit stations, study and report relating to establishment required	134	639
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
Release of a person after arrest without the filing of a charge, removed as an event that must be reported to the Criminal Justice Information System Central Repository	1	170
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Risk assessment tools used for parole guidelines and number of times a parole commissioner overrides a decision derived from a risk assessment tool, report required	395	1950
Risk–based mortgage lender licensee examination schedule, implementation and report requirements added	332	1587
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268

	Chapter	Page
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added.....	356	1685
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added.....	315	1543
Soil conservation district field personnel position counts and funding, reports required.....	395	1900
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Southern Maryland Higher Education Council, established; reports required	622	3610
Spay/Neuter Fund, Task Force on the Establishment of a Statewide, established; report required.....	266	1228
Spring Grove Hospital Center redevelopment plan, appropriation for; report required.....	395	1912
State employee merit increases, restrictions added; reports required regarding policies for designating operationally critical staff, staff identified as critical, and merit increases awarded as a consequence of this designation.....	397	2385
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
State Occupational and Professional Licensing Design Boards' Fund, report required regarding sufficiency of balance	316	1547
State Police motor vehicle replacement policy, report required....	395	2012
State Retirement and Pension Systems –		
Biennial report required on the financial health of the several systems	397	2388
Board of Trustees, annual report required on the funding progress of the several systems.....	397	2388
Cost of living (COLA) adjustment to retirement allowances, provisions to prevent negative adjustments and adjust succeeding year adjustments, added; review of pension law COLA provisions and report required.....	599	3510
State–run psychiatric hospital capacity, independent study of factors for determining the future need for, appropriation for; report required	395	1911
Strategic Energy Investment Fund, annual report and budget book requirements added.....	395	2093
Students with disabilities, accounting system and reporting requirements for nonpublic placements program, provisions added	395	2087
Substance abuse treatment options for court–involved youth, report required	395	2094
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database,		

	Chapter	Page
adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Sustainable Communities Tax Credit Program, maximum fee for administrative costs, provisions altered; use of reserve fund to pay administrative costs if fees are inadequate; special provisions for high performance buildings and qualified rehabilitated structures, applicable only to commercial rehabilitations	383	1777
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
Thoroughbred Racing Sustainability Task Force, established; report required	412	2497
Transparency and Open Government, Joint Committee on, established and annual report required; minutes of an open meeting of a public body, provisions altered	508	2995
	509	3001
Transportation Department capital projects and project costs in the construction program or development and evaluation program, report required in the event a project is added to the approved plan or the scope of a project is altered	395	1873
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
University System of Maryland, merger of the University of Maryland, College Park and the University of Maryland, Baltimore, study and report required	395	1971
		1981
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Woodland Incentives Fund, name changed to Mel Noland Woodland Incentives Fund; clarification added that fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Fund funds; annual report requirements clarified	330	1582
Youth in nonpublic placement education programs, Juvenile Services Department process for identifying and receiving		

	Chapter	Page
reimbursement for, report required on implementation and estimated impact to each jurisdiction	395	2002
Rescue Squads —		
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Grants and loans made by the Maryland State Firemen's Association to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Research and Development SEE Industry and Technology; Medical Research		
Residential Child and Youth Care SEE Child Care		
Restaurants —		
Anne Arundel County –		
Class WT wine tasting (on–premises) license and special entertainment license established; administrative fee established; various license fees increased; special outdoor entertainment license and festival license, provisions altered; duplicate license fee provisions altered	390	1807
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Dorchester County –		
Residency requirement for voters who sign a certificate to support an alcoholic beverages license application, repealed; prohibition against Class B or C licensees selling alcoholic beverages at a bar or counter on Sunday, repealed	370	1743
Food establishment licensing fees, provisions that establish maximum fee, repealed	397	2290
Montgomery County –		
Alcoholic beverages license for restaurants located in Burtonsville Town Square and Hillandale Shopping Center, provisions added	348	1645
Prince George's County –		
Class B–DD (Development District) alcoholic beverages licenses, maximum number authorized for certain areas, provisions altered; issuance of one other Class B license located anywhere in the county for each Class B–DD license issued, provisions added	375	1755
Restaurants with outdoor dining areas authorized to allow patron's dog to accompany patron	607	3553
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200

	Chapter	Page
Restitution —		
Crime victims' rights, court assurance in criminal proceeding that victim is afforded rights provided by law, and judgment of restitution for victim whose right to restitution was improperly denied or not considered, provisions added	362	1708
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Mortgage law violations, enforcement, investigation, and prosecution by Commissioner of Financial Regulation; civil actions by homeowners, provisions clarified	127	619
Retail Credit Accounts SEE Credit		
Retail Installment Sales SEE Credit		
Retail Sales Tax SEE Sales and Use Tax		
Retaliatory Eviction SEE Eviction		
Retirement Systems —		
Administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency, payment of pro rata share of the local school boards and community colleges, provisions added	397	2387
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Budget bill, Governor required to include additional information regarding State's contribution to each retirement and pension system in order to reflect the impact of legislation increasing employee contributions and reducing the liabilities of the State Retirement and Pension System	397	2386
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Governor's Salary Commission, Judicial Compensation Commission, and General Assembly Salary Commission reports, required to include recommendations concerning appropriate pension benefit and member contribution levels	397	2388
Law Enforcement Officers' Pension System, DROP interest rate, provisions altered	397	2337
Postretirement Health Benefits Trust Fund, funding from certain federal subsidies, provisions repealed	397	2348
Retirement Agency, State –		
Appropriation to	395	1869
		2072
		2077
		2140
Retired employees who are rehired for a certain period, earnings limitation exception, provisions added	397	2386
State Employee and Retiree Health and Welfare Benefits Fund, funding from certain federal subsidies, provisions repealed	397	2311
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care		

	Chapter	Page
providers to promote adoption and use of electronic health records repealed; support of incentives through contracts with third party administrators, provisions added	380	1769
State Employee and Retiree Health Insurance –		
Reduction of appropriations for, provisions added	395	2065 2070 2075
Transfer of appropriations for costs between State agencies, restrictions on use of funds, and accounting detail, provisions added	395	2064
State employee and retiree health plan, appendix to the budget books required to provide an accounting of associated revenues and expenditures	395	2090
State employee health insurance benefit option and prescription drug benefit, retiree eligibility and State subsidy amount, provisions altered	397	2304
State employee prescription drug benefits, discontinuation for Medicare–eligible retirees, provisions added	397	2310
State Employees' and Teachers' Pension System, member contribution rates, termination of membership, eligibility for benefits, provisions altered	397	2325
State Employee's and Teacher's Retirement Systems, funding reduced for various State agencies for fiscal 2012	395	2080
State Police Retirement System, eligibility for benefits and DROP participation, provisions altered	397	2334
State Retirement and Pension Systems –		
Administrative and operational expenses of the several State retirement and pension systems, payment by participating State and local employers and not transferred from accumulation fund of each system, provisions added	397	2317 2322 2323
Appropriation for	395	1869 2049 2057
	397	2322
Average final compensation for purposes of retirement or pension benefits, provisions altered	397	2312
Biennial report required on the financial health of the several systems	397	2388
Board of Trustees, annual report required on the funding progress of the several systems	397	2388
Contribution rate, provisions altered	397	2318
Cost–of–Living Adjustments –		
Provisions altered	397	2341
Provisions to prevent negative adjustments and adjust succeeding year adjustments, added; review of pension law COLA provisions and report required	599	3510
Military service credit for members who performed active military duty prior to membership, eligibility provisions altered	59	275
Reemployment of Retirees –		

	Chapter	Page
Earnings limitation, exemption for those reemployed by Department of Health and Mental Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long term exemption repealed	615	3596
Earnings offset, reduction prohibited from exceeding an amount that would reduce retiree's allowance to less than what is required to pay retiree's monthly medical insurance premiums	136	644
Number of years of retirement required for eligibility for exemption from earnings offset of retirement allowance, provisions altered	106	550
Reformed Contributory Pension Benefit, provisions added	397	2329 2348
Simplification of the administration of, provisions added	591	3474
State military service credit, provisions altered	397	2351
Transfer of service credit between retirement or pension systems, provisions altered	397	2348
Unclaimed money due former members, retirees, and beneficiaries, publication of names of individuals and employers for purposes of notification, provisions added	60	276
Vested allowance, provisions altered	397	2338
Supplemental retirement plans established by State universities and colleges or the Higher Education Commission for employees and community colleges, methods for making employee contributions to accounts, provisions altered	337	1614
Teachers and State Employees Supplemental Retirement Plans, appropriation for	395	1869 2025 2057 2072 2077 2140
Revenue and Taxes —		
See also Development Fees and Taxes; Special Tax Districts; specific taxes		
Academic programs at institutions of postsecondary education, approval by Higher Education Commission, provisions for application fee and distribution of revenue to special fund, added	397	2270
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining Control and Reclamation Act of 1977 into, provisions altered.	112	565
Allegany County –		
Video lottery operation, purchase of Rocky Gap Lodge and Resort by license applicant required; number of video lottery terminals, distribution of proceeds, initial license fee, and direct investment calculation, provisions altered	240	1083
Assessments and Taxation Department special fund for costs of reviewing, processing, and auditing documents, transfer of funds to the General Fund	397	2377
Baltimore City Community College accounts, transfer of funds to the General Fund	397	2377
Bay Restoration Fund –		

	Chapter	Page
Transfer of funds to the General Fund	397	2379
Use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Biotechnology Investment Tax Credit Reserve Fund, appropriation for	395	1994
Board of Examiners of Psychologists Fund, transfer of funds to the General Fund	397	2377
Board of Nursing Fund, transfer of funds to the General Fund	397	2378
Board of Physical Therapy Examiners Fund, transfer of funds to the General Fund	397	2378
Board of Physicians Fund, transfer of funds to the General Fund	397	2378
BRAC Preservation Loan Fund, appropriation for	395	1990
Budget Reconciliation and Financing Act of 2011	397	2248
Central Collection Fund, transfer of funds to the General Fund	397	2377
Central Collection Unit, appropriation to	395	1862
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, transfer of funds to the General Fund	397	2377
Clean Air Fund, transfer of funds to the General Fund	397	2378
Clean Water Fund, transfer of funds to the General Fund	397	2378
Commercial fertilizer law, special fund for administering, transfer of funds to the General Fund	397	2378
Commercial fishing violations while license or authorization is suspended or revoked or engaging in commercial fishing without appropriate license or authorization, enhanced penalty provisions added; payment of fine to Fisheries Research and Development Fund, provisions added	512	3009
	513	3012
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added	498	2949
	499	2952
Critical Farms Program, disposition of real property by Agricultural Land Preservation Foundation, provisions altered; Critical Farms Fund established	581	3426
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280	1376
	281	1394
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Economic Development Assistance Authority Fund, appropriation for	395	1995
Enterprise Fund, funding for qualified investments in State businesses under the Invest Maryland Program, provisions added	409	2440
Estate tax, extension of deferred payment period that is allowed for qualified agricultural property for a recipient that has a pending application to place the land on which the deferred tax is due under a permanent land conservation easement, provisions added	241	1094

	Chapter	Page
Fair Campaign Financing Fund, use for implementing online voter registration system, provisions added	292	1449
	293	1455
Federal subsidies received as a result of the State's prescription drug program, credit to the General Fund, requirements added	397	2379
Fee for special admission of out–of–state attorneys to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and allocation for loan assistance to certain law school graduates added	129	629
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Forest or Park Reserve Fund, transfer of funds to the General Fund	397	2376
Gasoline and Motor Vehicle Revenue Account, distribution provisions altered	397	2364
General Fund, transfer of funds to General Fund from various other funds	397	2376
		2377
		2379
		2383
		2384
	402	2414
Health Care Commission Fund, transfer of funds to the General Fund	397	2376
		2378
Health Care Personnel Training Fund, established to provide grants to certain training consortiums	601	3530
Highway User Revenues –		
Amount of distributions to counties and municipalities, provisions altered	397	2366
Appropriation for distribution to counties and municipalities	395	1881
		2109
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Homeownership Programs Fund, transfer of funds to the General Fund	397	2377
		2379
Housing and Community Development Department Special Loan Programs Fund, transfer of funds to the General Fund	397	2379
Housing Fund, appropriation to	395	1988
Injured Workers' Insurance Fund –		
Employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	132	636

	Chapter	Page
	276	1348
Made subject to insurance premium tax	397	2291
Transfer of funds to the General Fund	397	2383
Insurance Trust Fund, transfer of funds to the General Fund	397	2377
Integrated Tax System Administration Center, appropriation to	395	1857
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Major Information Technology Development Project Fund –		
Appropriation for	395	1865
Sources of funding for, provisions altered	397	2299
Maryland Automobile Insurance Fund, transfer of funds to the General Fund	397	2384
Maryland Correctional Enterprises Revolving Fund, transfer of funds to the General Fund	397	2378
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Maryland Health Insurance Plan Fund –		
Transfer of funds from Senior Prescription Drug Assistance Program account to the Kidney Disease Program, provisions added	397	2380
Transfer of funds from Senior Prescription Drug Assistance Program account to the Medical Assistance Program, provisions added	397	2380
Mortgage Lender–Originator Fund, transfer of funds to the General Fund	397	2378
Motor fuel tax revenue, apportionment to the Chesapeake Bay 2010 Trust Fund and the General Fund, provisions altered	397	2354
Motor vehicle registration revenue and other user fees from the Motor Vehicle Administration, deposit in the General Fund, provisions added	397	2380
Neighborhood Business Development Fund, transfer of funds to the General Fund	397	2379
Net interest on all State money allocated to special funds or accounts, required to accrue to the General Fund, with exceptions	397	2300
Not–For–Profit Development Center Program Fund –		
Appropriation for	395	1994
Transfer of funds to the General Fund	397	2376
		2377
Postretirement Health Benefits Trust Fund, funding from certain federal subsidies, provisions repealed	397	2348
Public Broadcasting Commission accounts, transfer of funds to the General Fund	397	2378
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497

	Chapter	Page
Racetrack Facility Renewal Account, transfer of funds to Maryland Economic Development Corporation, provisions added	397	2380
Radiation Control Fund, transfer of funds to the General Fund	397	2378
Real Estate Appraisers and Home Inspectors Fund, State Commission of, established; appraisal management company hearing board established; registration and regulation of real estate appraisal management companies, provisions added	269	1254
	270	1289
Real Property Records Improvement Fund, transfer of funds to the General Fund	397	2377
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Recordation tax and State transfer tax, exemption for transfer of property to grandparent or stepgrandparent, provisions added	618	3603
Rental Housing Programs Fund, transfer of funds to the General Fund	397	2377
Revenue Estimates, Bureau of, appropriation to	395	1855
		2055
Scale and meter registration fees, maximum fee per business location increased; unspent or unencumbered portion of Weights and Measures Fund at end of the year, required to remain in the fund	589	3469
Senior Centers Operating Fund, appropriation to	395	1843
Senior Prescription Drug Assistance Program Account of the Maryland Health Insurance Plan Fund, transfer of funds to the General Fund	397	2377
Short–term vehicle rental sales and use tax, apportionment to the Chesapeake Bay 2010 Trust Fund and the General Fund, provisions altered	397	2355
		2389
Spay/Neuter Fund, Task Force on the Establishment of a Statewide, established; report required	266	1228
Special fund savings from abolishment of State positions and from reductions to electricity expenditures, transfer to the General Fund, provisions added	397	2380
Spinal Cord Injury Research Trust Fund, transfer of funds to the General Fund	397	2377
Stadium Facilities Fund, appropriation for	395	1844
State Boat Act Fund, transfer of funds to the General Fund	397	2378
State Employees and Retirees Health and Welfare Benefits Fund, funding from certain federal subsidies, provisions repealed	397	2311
State transfer tax special fund, transfer of funds to the General Fund	397	2379
Stem Cell Research Fund, appropriation for	395	1996
Strategic Energy Investment Fund –		
Allocation of proceeds received from sale of Greenhouse Gas Initiative allowances, provisions added	397	2381
Transfer of funds to the General Fund	402	2414
Surplus lines insurance, law amended to comply with federal		

	Chapter	Page
law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Sustainable Communities Tax Credit Program, maximum fee for administrative costs, provisions altered; reserve fund use to pay administrative costs if fees are inadequate; special provisions for high performance buildings and qualified rehabilitated structures, applicable only to commercial rehabilitations	383	1777
Transportation Trust Fund –		
Distribution of income tax revenue from corporations to Transportation Trust Fund, provisions altered	397	2353
		2389
Distribution of sales and use tax revenue to Transportation Trust Fund, provisions altered	397	2356
Transfer or diversion of funds to General Fund, restrictions added	397	2361
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Used Tire Cleanup and Recycling Fund, transfer of funds to the General Fund	397	2376
		2378
Verification of payment of taxes and unemployment insurance contributions before issuing driver's license or motor vehicle registration, requirements added	397	2360
		2372
Veterinary Medical Examiners Fund, transfer of funds to the General Fund	397	2376
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Washington County –		
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261	1192
	262	1200

	Chapter	Page
Waterway Improvement Fund, transfer of funds to the General Fund	397	2378 2379
Woodland Incentives Fund, name changed to Mel Noland Woodland Incentives Fund; clarification added that fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Fund funds; annual report requirements clarified	330	1582
Work zone speed control fines, distribution to State Police for purchase of replacement vehicles and related equipment, provisions added	397	2367
Review Boards —		
Aquaculture Review Board, transferred to Department of Natural Resources and membership altered	411	2480
Citizen's Review Board for Children, appropriation to	395	1927
Parole of inmate serving term of life imprisonment who received parole approval from the Parole Commission or the Patuxent Institution's Board of Review, approval by Governor, provisions altered	623	3613
Right to Die SEE Death		
Rivers and Streams —		
Battleridge Place stream valley restoration, bond funds for	396	2176
Choptank River Lighthouse replica, bond funds for	396	2174 2187
Waterway Improvement Fund, bond funds for	396	2153
Roads SEE Highways		
Rules and Regulations —		
Accountants, services that constitute the practice of certified public accountancy, provisions altered; preparation of a compilation by nonlicensed individual and standard language for disclosure statement regarding exemption from peer review requirements under certain circumstances, provisions added	228 229	1051 1057
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425 426	2556 2561
Bisphenol–A, containers of infant formula that contain a certain amount, purchase by the State, manufacture, sale, or distribution, prohibitions added; prohibition in child bottle or cup, regulation requirements altered; report required on federal research and activities	189 190	864 867
Boilers and pressure vessels, inspection agency insurance requirements that must be satisfied before employee may be issued a special inspector commission, regulations required	608	3556
Carroll County –		
Liquor tasting license created	329	1581
Charles County –		
Class B–Stadium (baseball stadium) on–sale beer, wine, and liquor license, converted from Class B–Stadium (baseball stadium) beer and light wine license; carry and consumption restrictions altered	388	1803
Children's jewelry containing more than a specified amount of		

	Chapter	Page
cadmium, manufacture, sale and distribution prohibited.....	578	3405
Commercial fishing authorization to catch striped bass or crabs under tidal fish license, revocation for unlawfully taking striped bass or crabs, provisions added.....	505	2989
	506	2991
Cord Blood Transplant Program and Cord Blood Transplant Center Support Fund, established; grants to certain qualified medical institutions to establish or maintain a cord blood transplant center, provisions added.....	498	2949
	499	2952
Credit union board of directors, electronically conducted elections, provisions added	311	1533
Debt settlement services, provider registration and regulation and consumer protection, provisions added.....	280	1376
	281	1394
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Disclosure of physician information to certain entities by Health Services Cost Review Commission; disclosure of records to certain entities by Board of Physicians for purpose of investigating quality or utilization of care; definition of "medical review committee" altered.....	308	1514
	309	1522
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Election law, electronic methods of disseminating campaign material, making contributions, and making expenditures and disbursements, provisions added	287	1432
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added.....	167	767
	168	778
Electric vehicle recharging equipment, income tax credit provisions added.....	402	2414
Electronic health records, incentives for adoption and use by health care providers, payment in cash by insurance carrier unless incentive of equivalent value is agreed on, provisions added; compliance audits allowed; report on scope of providers eligible for incentives required.....	532	3146
	533	3152
Emergency medical services providers, definitions altered for purposes of licensing, certification, and regulation; law enforcement officers with certain training and in certain circumstances, authorized to provide emergency medical care without a license or certificate	113	567
Family day care providers, obsolete amnesty provisions for unregistered providers repealed.....	206	941
Fertilizers, content, labeling, sale, application on turf, public		

	Chapter	Page
education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Fishing gear regulations, adoption by Department of Natural Resources authorized	577	3402
Foreclosure, documents that must accompany an order to docket or complaint to foreclose that is filed with a court and served on mortgagor and notice of intent to foreclose, provisions altered; form and content of forms, notices, and documents, provisions added; foreclosure mediation deadlines altered	355	1670
Health information exchange, privacy and security of protected health information obtained or released through, regulations required; requirements for entities to connect to the State–designated health information exchange, provisions added	534	3158
	535	3166
Hearing Aid Loan Bank Program reestablished to benefit certain children under the age of three; regulations and reports required	539	3187
	540	3192
Home Improvement Commission, civil citations, consumer protection and education, disclosure, and searchable Web site provisions added; penalty and license fee provisions altered; Guaranty Fund, licensing levels and performance bond, reports required; mold remediation services licensing deadline extended	333	1596
Home inspector license renewal, regulations to require demonstration of continuing professional competency of a certain number of educational hours, requirements added	186	859
Howard County –		
Beer, wine and liquor tasting (BWLT) license created; maximum alcohol content of wine that may be served under a beer and wine tasting (BWT) license increased	325	1568
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Influenza vaccinations, administration by pharmacists to children and report to Immunization Registry, provisions added	559	3332
	560	3334
Insurance producers, authority of licensed producers to provide information about the Maryland Medical Assistance Program and Children's Health Program to small employers for distribution to their employees, provisions added	300	1481
	301	1486
International Green Construction Code, adoption by Department of Housing and Community Development regulation authorized; adoption and amendment by local jurisdictions authorized	369	1739

	Chapter	Page
Intrastate for–hire vehicles over 26,000 pounds designed to carry property, maintenance of minimum financial responsibility consistent with federal regulations, requirements added	111	563
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Junior deer hunt, establishment required	120	600
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Lead Risk Reduction in Housing –		
Affected property registration renewal and annual fee payment deadlines, Department of the Environment authorized to alter by regulation	620	3607
Requirements for satisfaction of standards, provisions altered; processes that reduce incidence of lead poisoning in properties, evaluation and report required	610	3560
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
"Medical Orders for Life–Sustaining Treatment" form, development, revision, and use by health care facilities and other health care providers, provisions added; "Instructions on Current Life–Sustaining Treatment Options" form, provisions repealed	433	2587
	434	2600
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Oyster and shellfish aquaculture, resurvey of any submerged area of the State, submerged land leases, and approval of areas for shellfish aquaculture, provisions altered	579	3407
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Prescription Drug Repository Program, expanded to include acceptance of certain prescription drugs and medical supplies		

	Chapter	Page
returned to a pharmacy for purpose of disposal	546	3238
	547	3245
Procurement solicitation for service contract for janitorial services, regulations that require a bidder or offeror to delineate its costs by certain categories, adoption required	339	1619
Program Open Space land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
St. Mary's County –		
Special beer festival (BF) license, issuance authorized; approval of time and location of a beer festival, provisions added	372	1748
School bus construction that meets fire safety standards, requirements added; adoption of regulations required	453	2696
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Self–insured vehicles, evidence of self–insurance and provision of evidence to certain persons involved in an accident involving the vehicle, provisions added	320	1554
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Special needs trusts, supplemental needs trusts, and pooled asset special needs trusts, use by individual with disabilities encouraged; limitation on restrictive regulations and requirements, provisions added	561	3336
	562	3338
Surplus lines insurance, law amended to comply with federal law; premium receipts tax and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Tow companies, establishment and maintenance of list of companies that meet certain standards for use by Department of State Police, requirements added	365	1715
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered	617	3599
Tree expert licenses, application and renewal fees and timetable		

	Chapter	Page
and procedure for renewal, provisions altered	20	177
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Verification of payment of taxes and unemployment insurance contributions before issuing driver's license or motor vehicle registration, requirements added	397	2371
		2372
Video lottery operation licensee interference with the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant, prohibitions added	232	1068
	233	1070
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Washington County –		
Criminal history records check for new alcoholic beverages license applicants and license transfers, requirements added	592	3480
Special wine festival (WF) license established	62	278

S

Safety —

See also Occupational Safety		
Amusement Ride Safety Advisory Board, State, membership provisions altered	99	531
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Children's jewelry containing more than a specified amount of cadmium, manufacture, sale and distribution prohibited	578	3405
Community safety surveillance systems, bond funds for	396	2179
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added	167	767
	168	778
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
High–rise residential building with rental units, notice to residents of right of mobility impaired individuals to request unit on first five floors, provisions added	596	3490
Highway Safety Operating Program, appropriation for	395	1881
Marleigh Community Safety and Surveillance System, previous bond provisions altered	396	2245
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added	213	963
	214	967

	Chapter	Page
Podiatric Medical Examiners, State Board of, unannounced inspections of offices of certain podiatrists against whom a complaint has been filed regarding violation of guidelines on universal precautions, requirements added	180	849
	181	850
Private school policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged	486	2870
	487	2875
Public safety communications system, bond funds for	396	2151
Railroad safety and health, appropriation for	395	1935
Safety inspection, appropriation for	395	1935
School Buses –		
Construction that meets fire safety standards, requirements added; adoption of regulations required	453	2696
Inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
Monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Text messaging devices, use while driving prohibited, provisions expanded	471	2759
	472	2761
St. Mary's County —		
Alcoholic beverages, issuance of special beer festival (BF) license authorized; approval of time and location of a beer festival, provisions added	372	1748
Correctional officers' bill of rights, provisions added	128	628
Metropolitan Commission –		
Appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732
Commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Southern Maryland Higher Education Council, established; reports required	622	3610

	Chapter	Page
State Bonds –		
St. John's archaeological site exhibit, previous bond provisions altered	396	2201
St. Mary's College of Maryland –		
Bruce Davis Theater renovation, previous bond provisions altered	396	2203
New academic building, previous bond provisions altered	396	2201
St. Mary's County Fairgrounds, previous bond provisions altered	396	2235
Southern Maryland Higher Education Center, classroom and Engineering Laboratory Building	396	2167
United States Colored Troops Memorial, previous bond funds altered	396	2237
Salaries —		
Adverse action by employer against employee who makes complaint, brings an action, or testifies in an action under the Maryland Wage and Hour Law, prohibited	494	2895
	495	2898
Agreement between employer and employee for employee to work for less than a certain required wage, established as void	118	592
Average final compensation for purposes of State retirement or pension benefits, provisions altered	397	2312
Baltimore City –		
Board of Liquor License Commissioners, conflict of interest and compensation of appellate counsel, provisions altered; open meetings and performance audits, requirements added	263	1207
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Caroline County –		
Board of Elections, membership, compensation, and filling of vacancies, provisions altered	305	1508
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Executive Pay Plan –		
Positions, quarterly reports required	395	2088
Salary schedule for fiscal 2012	395	2052
Transportation Department, salary schedule for fiscal 2012	395	2063
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Health and Mental Hygiene Department employees employed at a facility scheduled to be closed, retention bonuses, provisions added	397	2386
Injured Workers' Insurance Fund, employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	132	636
	276	1348
Maryland Automobile Insurance Fund, employee compensation specified as not subject to any State law, regulation, or		

	Chapter	Page
executive order governing State employee compensation; provisions for setting compensation rates altered	312	1536
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1 2	1 40
Persons holding two public offices simultaneously, compensation for second office prohibited	395	2050
Prevailing wage, appropriation for	395	1935
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Secretary or acting secretary of any department whose nomination as secretary has been rejected by the Senate, or acting secretary serving as such prior to the 2011 session whose nomination was not put forward and approved by the Senate in the 2011 session, funding of salary prohibited	395	2088
State Employees –		
Funding for salaries and wages reduced within Executive Branch agencies in fiscal 2012	395	2081 2094 2139
Merit increases, restrictions added; reports required regarding policies for designating operationally critical staff, staff identified as critical, and merit increases awarded as a consequence of this designation	397	2385
Nonclassified State government positions, appropriation for salaries	395	2047
State retiree earnings limitation, exemption for those reemployed by Department of Health and Mental Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long–term exemption repealed	615	3596
State Retirement Agency retired employees who are rehired for a certain period, earnings limitation exception, provisions added	397	2386
Washington County –		
Board of Elections, membership, filling of vacancies, and compensation, provisions altered	247	1112
Sales and Use Tax —		
Alcoholic Beverages –		
Tax rate increased; fiscal 2012 increase required to be used for appropriation to fund a Waiting List initiative for the Developmental Disabilities Administration	571	3378
Tax rate increased; fiscal 2012 increase required to be used for appropriation to fund public school construction projects	572	3380
Credit to vendor for expense of collecting and paying tax, maximum amount allowed, provisions altered	397	2357
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added;		

	Chapter	Page
report required	204	911
	205	926
Distribution of revenue to Transportation Trust Fund, provisions altered	397	2356
Electricity generated by solar energy equipment or residential wind energy equipment, sale for use in certain residential property, tax exemption provisions added	461	2720
	462	2722
Howard County –		
Hotel room rental sales and use tax, maximum authorized rate increased; allocation of revenue, provisions altered	139	657
Nonprofit food vendor at youth sporting event or 4–H youth event, tax exemption for sales of certain food and drink, provisions added	364	1713
Short–term vehicle rental sales and use tax, apportionment to the Chesapeake Bay 2010 Trust Fund and the General Fund, provisions altered	397	2355
		2389
Sanitary Districts —		
Somerset County –		
Sanitary district water and sewer service, late fee for unpaid usage charges, interest accrual on charge that is in default, and payment of late fees in addition to any other charges before reconnection of water service, provisions added	354	1666
Smith Island Solid Waste District, limitations on the amount of the solid waste disposal fee repealed	258	1181
Sanitary Landfills SEE Refuse Disposal		
Savings and Loan Associations —		
Residential mortgage loans, inclusion of increase in amount of escrow payment in calculation of interest or fees prohibited for certain length of time, with exceptions, provisions added	611	3569
Scenic Rivers SEE Rivers and Streams		
Scholarships and Student Financial Aid —		
Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program –		
Appropriation for	395	1975
Distribution of court costs surcharge for traffic cases in District Court to Program, provisions added	397	2264
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Delegate Scholarships, appropriation for	395	1975
		2127
Distinguished Scholar Program –		
Appropriation for	395	1975
Award of any new scholarships prohibited	397	2279
Repealed	397	2376
Educational Excellence Awards, appropriation for	395	1974
Edward T. Conroy Memorial Scholarship Program –		
Appropriation for	395	1975
Residency requirement for eligibility, provisions altered	209	950
Fee for special admission of out–of–state attorneys to practice law, provisions for assessment, payment to the Janet L. Hoffman Loan Assistance Repayment Program, and		

	Chapter	Page
allocation for loan assistance to certain law school graduates added	129	629
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Graduate and Professional Scholarship Program, appropriation for	395	1975
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Health Personnel Shortage Incentive Grant Program, appropriation for	395	1976
Jack F. Tolbert Memorial Student Grant Program, appropriation for	395	1975
Janet L. Hoffman Loan Assistance Repayment Program, appropriation for	395	1976
Need–Based Student Financial Assistance Fund, created	397	2277
Nurse Support Program II, appropriation for	395	1976
Part–time Grant Program, appropriation for	395	1976
Physicians Loan Assistance Repayment Program, appropriation for	395	1976
Senatorial Scholarships, appropriation for	395	1975
Veterans of the Afghanistan and Iraq Conflicts Scholarships, appropriation for	395	1976
Walter Sondheim Jr. Public Service Summer Internship Scholarship Program, types of eligible students expanded to include a student who assists in providing legal services in a public service position	340	1621
Workforce Shortage Student Assistance Grants, appropriation for	395	1976
School Boards SEE Education, Boards of		
School Buses —		
Clean diesel school bus retrofits, appropriation for	395	2132
Construction that meets fire safety standards, requirements added; adoption of regulations required	453	2696
Inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
School Construction SEE Public Schools		
Schools SEE Private Schools; Public Schools		
Scrap Processors SEE Wreckers and Scrap Processors		
Seafood SEE Clams; Crabs; Fish and Fishing; Meat, Poultry, Seafood; Oysters		
Seamen SEE Boats and Ships		
Search and Seizure —		
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations		

	Chapter	Page
and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172	809
	173	819
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
Seat Belts SEE Motor Vehicle Equipment		
Secretary of State —		
Appropriation to	395	1842
		2048
		2071
		2075
		2080
		2139
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
Securities —		
Securities Division of the Office of the Attorney General, appropriation to	395	1833
Security SEE Safety		
Security Deposits —		
Deposit held by licensed real estate broker on behalf of purchaser of residential dwelling, cooperative housing interest, condominium unit, or homeowners association lot, procedures and standards for return of deposit if purchaser rescinds sales contract, provisions added	156	718
Security Guards SEE Law Enforcement		
Security Interests —		
See also Liens		
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Seizure SEE Search and Seizure		
Senate SEE General Assembly		
Senior Citizens SEE Elderly Persons		
Sentences SEE Penalties and Sentences		
Service Contracts SEE Contracts		
Service Stations —		
Bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Electric Vehicle Infrastructure Council, Maryland, established; reports required	400	2407
	401	2410
Electric vehicle recharging equipment, income tax credit provisions added	402	2414

	Chapter	Page
Motor fuel advertising signs at retail service stations, requirements altered	25	189
Sewage —		
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
Bay Restoration Fund –		
Appropriation for debt service	395	2001
		2041
Capital appropriation for septic systems	395	1998
Use of Septics Account for grants or loans for connecting properties served by onsite sewage disposal systems to certain municipal wastewater facilities, provisions added	492	2886
	493	2890
Chesapeake Bay Water Quality Project Funds, bond funds for nutrient removal at publicly owned sewage treatment works and local share of sewage plant construction costs	396	2161
Infrastructure Improvement Fund in the Maryland Environmental Service, previous bond provisions altered	396	2197
		2201
Nitrogen–removal technologies for onsite sewage disposal systems, evaluation and ranking by Department of the Environment, provisions added	454	2699
	455	2701
St. Mary's County –		
Metropolitan Commission –		
Appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732
Commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617
Somerset County –		
Sanitary district water and sewer service, late fee for unpaid usage charges, interest accrual on charge that is in default, and payment of late fees in addition to any other charges before reconnection of water service, provisions added	354	1666
Washington County –		
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Wastewater treatment plant enhanced nutrient removal technology, bond funds for	396	2160
		2220
Sex Discrimination SEE Discrimination		
Sex Therapy SEE Counselors		
Sexual Offenses —		
Definition of "sexual act" expanded to include certain acts formerly defined as "sexual contact"	195	882

	Chapter	Page
	196	884
Fourth degree sexual offense involving nonconsensual sexual contact if the victim is a minor, statute of limitations increased for prosecution	192	875
	193	878
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Sex offender registration, retroactive application provisions altered; predicate offenses and minimum age for inclusion on registry of juvenile sex offenders, provisions altered; periodic appearance of juvenile registrant to update information and allow a digital photo, requirements added	374	1752
Sexual Assault and Domestic Violence Programs, appropriation for transfer to Governor's Office of Crime Control and Prevention	395	2104
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Victims of domestic violence or sexual assault, termination of victim's future liability under a residential lease, provisions clarified	152	711
Sexual Orientation —		
Discrimination in the employment of public school employees, provisions conformed to other provisions of State law governing employment discrimination	322	1558
Sheltered Housing SEE Assisted Living; Group Homes		
Sheriffs —		
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Ships SEE Boats and Ships		
Shopping Centers —		
Montgomery County –		
Alcoholic beverages license for restaurants located in Burtonsville Town Square and Hillandale Shopping Center, provisions added	348	1645
Prince George's County –		
Class B–DD (Development District) alcoholic beverages licenses, maximum number authorized for certain areas, provisions altered; issuance of one other Class B license located anywhere in the county for each Class B–DD license issued, provisions added	375	1755
Shore Erosion —		
Ocean City Beach Replenishment –		
Bond funds for	396	2153

	Chapter	Page
Fund, appropriation for	395	1889
Sidewalks —		
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Signatures —		
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Dorchester County –		
Residency requirement for voters who sign a certificate to support an alcoholic beverages license application, repealed; prohibition against Class B or C licensees selling alcoholic beverages at a bar or counter on Sunday, repealed	370	1743
Driver's license application by minor committed to custody or guardianship of local social services department, director of department required to cosign	141	660
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established	269	1254
	270	1289
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Signs and Billboards —		
Invasive Plants Advisory Committee established; invasive plant restrictions, regulations, and enforcement provisions added	142	661
Motor fuel advertising signs at retail service stations, requirements altered	25	189
Outdoor sign along or near scenic byway located on federal–aid primary highway, State Highway Administration prohibited from issuing permit for	318	1551
Restaurants with outdoor dining areas authorized to allow patron's dog to accompany patron	607	3553
Signs on State highway rights–of–way, prohibitions, penalties, and removal, provisions added	466	2730
	467	2735
Silver SEE Precious Metals and Stones		
Slavery SEE Human Rights		
Slot Machines SEE Gaming		

	Chapter	Page
Sludge SEE Sewage		
Small Business —		
Biotechnology investment tax credit, definition of a qualified Maryland biotechnology company expanded for FY 2012 and FY 2013 only to include a company in active business for up to 15 years	349	1648
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Health insurance for self–employed individuals and sole proprietors, provisions for exclusion from small group insurance market, termination date extended	104	546
Information about the Maryland Medical Assistance Program and Children's Health Program, authority of licensed insurance producers to provide to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and certification of venture firms, provisions added	409	2440
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Neighborhood Business Development Fund, transfer of funds to the General Fund	397	2379
Semiannual property tax payment schedule for business property, eligibility provisions altered	593	3483
Small Business Development Financing Authority, appropriation to	395	1993
		2130
Small, Minority, and Women–Owned Business Investment Account, appropriation to	395	1994
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Smart Growth, Office of —		
Appropriation to	395	1848
Smoke Detectors SEE Fire Protection		
Snow Emergencies SEE Emergencies		
Snow Tires SEE Motor Vehicle Equipment		
Social Security —		
Community college tuition waiver for disabled individuals, provisions altered	576	3400
State Retirement and Pension Systems, provisions to simplify the administration of, added	591	3474
Social Services —		
See also Welfare		

	Chapter	Page
Administration –		
Appropriation to	395	1928 2034 2059
Local department operations, appropriation to	395	1929
Adoption search, contact, and reunion services, application by director of a local department of social services on behalf of a minor in out–of–home placement to contact certain adopted siblings, provisions added	326	1571
Cardinal McCarrick Center, bond funds for	396	2188
Child in need of assistance hearings, circumstances under which juvenile court must send written findings to specified agencies or individuals, provisions altered	157	724
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Coordination of services for children and families, composition of Local Management Boards altered; provisions for local coordinating councils repealed; local care team provisions added; membership and duties of State Coordinating Council for Children altered	604	3537
Driver's license application by minor committed to custody or guardianship of local social services department, director of department required to cosign	141	660
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
Home Energy Programs, Office for, appropriation to	395	1932 2035
Jewish Social Service Agency facility, bond funds for	396	2177 2189
Local partnership agreements approved by the Children's Cabinet Interagency Fund, appropriation for	395	1968 2039 2064
Low Income Home Energy Assistance Program, report on actions taken in response to a federal report and a State audit of the Family Investment Program, requirement added	395	1932
Single parent services program establishment in each local department of social services, requirement repealed	144	672
Small rural electric cooperatives, distribution of funds from a rate relief account established under the Maryland Strategic Energy Investment Fund to organizations that provide assistance to low income residents, provisions added	18 19	172 175
Social Workers —		
Child in Need of Supervision Pilot Program expanded to include Cecil, Montgomery, and Prince George's counties	382	1774
Soil Conservation —		
Agricultural Cost–Share Program, bond funds for	396	2154
Soil conservation district field personnel position counts and funding, reports required	395	1900
Solar Energy SEE Alternative Energy Sources Solicitation —		

	Chapter	Page
Frederick County –		
Solicitation of money or donations from a vehicle occupant by person standing in roadway, median divider, or intersection, permit program provisions added	586	3441
Prince George's County –		
Public ethics reform provisions that are required to be enacted by the county, requirements added regarding issuance of credit cards, lobbyist compensation, conflicts of interest, and Board of Ethics	72	387
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended	376	1757
Solid Waste SEE Refuse Disposal		
Somerset County —		
Deputy State's Attorney engaging in the private practice of law, prohibition repealed	61	277
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Sale of certain county property at private sale to the City of Crisfield and to the American Legion – Stanley Cochrane Post #16, provisions added	544 545	3235 3236
Sanitary district water and sewer service, late fee for unpaid usage charges, interest accrual on charge that is in default, and payment of late fees in addition to any other charges before reconnection of water service, provisions added	354	1666
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
Smith Island Solid Waste District, limitations on the amount of the solid waste disposal fee repealed	258	1181
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
State Bonds –		
Teackle Mansion and the Sara Martin Done House	396	2181
University of Maryland Eastern Shore, Engineering and Aviation Science Building	396	2157
South Africa SEE International Affairs		
Sovereign Immunity —		
Maryland Tort Claims Act, appropriation for claims under	395	2051
Special Education —		
Ivymount School Annex Building, bond funds for	396	2176 2189
Residential boarding education programs for at–risk youth, funding provisions altered	503 504	2985 2987
St. Elizabeth School, bond funds for roof	396	2172 2186
Special Education/Early Intervention Services, Division of, appropriation to	395	1957

	Chapter	Page
		2123
Special Observance Days SEE Holidays and Special Dates		
Special Police SEE Law Enforcement		
Special Tax Districts —		
Semiannual property tax payment schedule for business property, eligibility provisions altered	593	3483
Speech Pathologists SEE Audiologists and Speech Pathologists		
Speed Limits SEE Traffic Regulation		
Sports and Recreation —		
Andover Park, bond funds for fields and field house	396	2169 2183
Annapolis Recreational Center on St. Mary's Street, bond funds for	396	2228
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Capitol Heights Seat Pleasant Boys and Girls Club, bond funds for	396	2179 2190
Carroll Field Puglise Stadium, bond funds for field lights	396	2169
Charles County –		
Class B–Stadium (baseball stadium) on–sale beer, wine, and liquor license, converted from Class B–Stadium (baseball stadium) beer and light wine license; carry and consumption restrictions altered	388	1803
Comet Booster Club Concession Stand, bond funds for	396	2186
Community parks and playgrounds, bond funds for grants to local governments	396	2151
Discovery Sports Center, bond funds for	396	2188
District Heights field renovation, previous bond provisions altered	396	2239 2242
East Baltimore Community Recreation and Learning Center, previous bond provisions altered to change purpose to be for preparing property for future development opportunities	396	2226 2231
Hot air balloons that are not tethered, county or municipal corporation prohibited from imposing admissions and amusement tax on gross receipts from charge for admission to or use of	125	616
Intercollegiate athletics, reports required on the amount of general funds expended by University System of Maryland, Morgan State University, and St. Mary's College of Maryland on	395	1980
Kellam's Field, previous bond provisions altered	396	2209
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463
Maryland–National Capital Park and Planning Commission, bond funds for field lights	396	2191

	Chapter	Page
Minimum academic performance standards that public high school students must meet for participation in athletic competitions sanctioned by a county board of education, report required	335	1607
Nonprofit food vendor at youth sporting event or 4–H youth event, sales and use tax exemption for sales of certain food and drink, provisions added	364	1713
Olney Boys and Girls Community Park, bond funds for "Falling Green"	396	2189
Outdoor Recreation Land Loan, appropriation for	395	1888
Prince George's County –		
Forestville Military Academy Track, previous bond provisions altered	188	863
Largo High School PTSA track renovation, previous bond provisions altered	187	861
Program Open Space –		
Future annual funding that is apportioned to local governing body, use for development projects after acreage acquisition goals have been attained, provisions altered	470	2758
Land acquisition, authority to negotiate, appraisal requirements, and contract approval, provisions altered; preparation of the State Land Preservation, Parks, and Recreation Plan, provisions altered	410	2470
Rockville Swim and Fitness Center, bond funds for locker room facility	396	2178
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Water park at Bohrer Park, bond funds for	396	2179
		2190
Whitemarsh Turf Field –		
Bond funds for	396	2180
Previous bond provisions altered	396	2243
Wiley H. Bates Heritage Park, bond funds for turf field	396	2166
Spousal Abuse SEE Domestic Violence		
Stadium Authority —		
Appropriation to	395	1844
Stadiums —		
Carroll Field Puglise Stadium, bond funds for field lights	396	2169
Charles County –		
Class B–Stadium (baseball stadium) on–sale beer, wine, and liquor license, converted from Class B–Stadium (baseball stadium) beer and light wine license; carry and consumption restrictions altered	388	1803
Stadium Facilities Fund, appropriation for	395	1844
State Agencies SEE Administrative Agencies; Electronic Government		
State Aid —		
See also Grants		
Baltimore City Community College, per–student State funding, calculation altered	397	2271
Community Colleges –		
Aid for fringe benefits, appropriation for	395	1973

	Chapter	Page
		2081
Per–student State funding, calculation altered	397	2271
Disparity Grants to Counties –		
Appropriation for	395	1826 1959
Calculation, provisions altered	397	2259 2390
Education –		
Aging Schools Program –		
Bond funds for grants to counties	396	2149
Source of funding for county grants, provisions added	397	2269
Appropriation for	395	1938 1959 2039
Decrease in a county's total direct education aid for fiscal 2012, provisions added to limit	397	2268 2390
Guaranteed Tax Base Program, appropriation for	395	1959 1962 2125 2137
Maintenance of Effort –		
Noncompliance penalty, application delayed until the fiscal year following county noncompliance	605	3549
Noncompliance penalty restrictions, provisions added	397	2382
Requirements for counties that shift to the county board the recurring costs associated with retiree health benefits for current retirees, provisions altered	397	2382 2390
Reimbursement to State by county board of education of the basic cost of education of a child in State–supervised care in a nonpublic residential placement that provides an education program, provisions added	397	2269 2279
State funds that exceed the State share of the foundation program because of use of certain available federal funds, distribution of certain amount to counties as prefunding of State share of the foundation program for next fiscal year, provisions added	397	2382
State Share of Foundation Program, appropriation for	395	1959 2039 2124
Study of adequacy of education funding in the State, requirements altered	397	2375
Target per pupil foundation amount in fiscal year 2012, provisions altered	397	2268
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Highway user revenues, distribution to counties and municipalities, appropriation for	395	1881 2109

	Chapter	Page
Joseph A. Sellinger formula for aid to nonpublic institutions of higher education, appropriation for	395	1973
Library aid for regional resource centers, State Library Resource Center, and public libraries, calculation provisions altered	397	2279
Nonpublic institutions of higher education, computation of State aid to, provisions altered	397	2276
Nonpublic school aid for textbooks or electronically delivered learning materials, appropriation for	395	1965
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Police protection, State aid to local jurisdictions, appropriation for	395	2011
Public school employee fringe benefits, appropriation for State aid for	395	1960 2081
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
The Senator John A. Cade funding formula for the distribution of funds to community colleges, appropriation for	395	1973 2040
State Bonds —		
Accessibility modifications to State buildings and facilities	396	2148
Accokeek Foundation, previous bond funds altered	396	2232
Adult day care facilities, previous bond provisions altered	396	2197
African American Heritage Preservation Program	396	2151
African American Museum and Cultural Center	396	2190
Aging Schools Program	396	2149
Agricultural Cost–Share Program	396	2154
Agricultural Land Preservation Program	396	2218 2222
Agricultural Land Restoration Program	396	2153
Agriculture Activity Center at the Agricultural History Farm Park, previous bond provisions altered to provide funding for Little Bennett Regional Park day use area	396	2234 2235
Allegany Museum	396	2168 2182
American Film Institute Silver Theatre and Cultural Center	396	2175 2188
American Visionary Art Museum	396	2183
Andover Park fields and field house	396	2169 2183
Annapolis and Anne Arundel County Conference and Visitors Bureau Center	396	2169

	Chapter	Page
Annapolis High School, stadium upgrades	396	2166
Annapolis Market House	396	2183
Annapolis Recreational Center on St. Mary's Street	396	2228
Annapolis Summer Garden Theatre, previous bond provisions altered	396	2238
Annapolis underground wiring, previous bond provisions altered to provide funding for Maryland Hall for the Creative Arts	396	2231 2233
Anne Arundel Community College, Library, previous bond provisions altered	396	2213
The Arc of Howard County, Graeloch home renovation	396	2188
Arthur & Mary E. Ridgley, Sr. Museum	396	2190
Arundel Lodge	396	2169 2183
THE ASSOCIATED: Jewish Community Federation of Baltimore, community development building and other buildings in Park Heights, previous bond provisions altered	396	2234
Augsburg Lutheran Home of Maryland	396	2173 2186
Baltimore City Community College, Main Building Administration Wing, Liberty Campus	396	2158 2219
Baltimore City Detention Center	396	2155
Baltimore International College, previous bond provisions altered	396	2205
Baltimore Museum of Art	396	2162
Bates Middle School, gymnasium and theatre renovations	396	2166
Battle of Bladensburg Visitor Center and Monument	396	2179
Battleridge Place stream valley restoration	396	2176
Bel Alton High School Community Development Center	396	2173
Berkshire Neighborhood Park	396	2179
Black Rock Center for the Arts, previous bond provisions altered	396	2242
Black Walnut Point Natural Resources Management Area	396	2152
Bond sale expenses, appropriation for	395	1858
Bowie State University –		
Campuswide site improvements	396	2156
Field house renovation and addition	396	2157
Fine and Performing Arts Building	396	2156
Football stadium fieldlights	396	2157
Broad Creek Maryland Boy Scouts of America Ecology Conservation Learning Center	396	2181
Camp Conowingo	396	2186
Camp Fairlee Manor	396	2182
Capital budget	396	2142
Capitol College, previous bond provisions altered	396	2205
Capitol Heights Seat Pleasant Boys and Girls Club	396	2179 2190
Cardinal McCarrick Center	396	2188
Career Development Center	396	2186
Carrie Weedon Science Center, previous bond provisions altered	396	2229
Carroll Field Puglise Stadium field lights	396	2169
Carroll Mansion Museum, previous bond provisions altered	396	2229
Cecil County Detention Center	396	2192

	Chapter	Page
Charles Carroll House	396	2169
Charles E. Smith Life Communities	396	2162
Chesapeake Bay Maritime Museum, bulkhead replacement	396	2181
Chesapeake Bay Water Quality Project Funds, for nutrient removal at publicly owned sewage treatment works and local share of sewage plant construction costs	396	2161
Chesapeake Grove – Senior Housing and Intergenerational Center	396	2174
Chesterwye Center, Jessie's House	396	2180
Choptank River Lighthouse replica	396	2174 2187
Clay Street development	396	2183
College of Southern Maryland –		
La Plata, BU/CE Buildings	396	2219
Phase II campus development, previous bond provisions altered	396	2213
Columbia Union College, previous bond provisions altered	396	2199
Comet Booster Club Concession Stand	396	2186
Community College Facilities Grant Program for local and regional community college property acquisition, buildings, site improvements, and facilities	396	2158
Community College of Baltimore County, Owings Mills Center	396	2219
Community Legacy Program, for neighborhood revitalization efforts	396	2159
Community mental health, addiction treatment, and developmental disabilities facilities	396	2154
Community parks and playgrounds, grants to local governments	396	2151
Community safety surveillance systems	396	2179
Consolidated Capital Bond Loan Preauthorization Act of 2012	396	2217
Consolidated Capital Bond Loan Preauthorization Act of 2013	396	2221
Consolidated Capital Bond Loan Preauthorization Act of 2014	396	2223
Crossland High School, football stadium press box	396	2191
Cultural Arts Center in Frederick	396	2174 2187
Cumberland City Market	396	2168 2183
Dam Rehabilitation Program	396	2153
Dam Rehabilitation Program, previous bond provisions altered	396	2198
Damascus Heritage Museum, previous bond provisions altered	396	2235
Dayspring Square facility	396	2184
Deer's Head Hospital Center	396	2154
Delta Lambda Foundation Head Start facility	396	2184
Digital Interconnection Network System, previous bond provisions altered	396	2198
Discovery Sports Center	396	2188
District Court facility in Catonsville	396	2148
District Heights field renovation, previous bond provisions altered	396	2239 2242
Dr. Bob's Place, a hospice for children	396	2170
Doctor Christina Phillips Community Center	396	2184
Doleman Black Heritage Museum, previous bond provisions altered	396	2243

	Chapter	Page
Dorchester Center for the Arts	396	2174
Dorchester General Hospital	396	2167
Drinking Water Revolving Loan Fund	396	2161
East Baltimore Biotechnology Park	396	2162
East Baltimore Community Recreation and Learning Center, previous bond provisions altered to change purpose to be for preparing property for future development opportunities	396	2226 2231
East County Center for Science and Technology Incubator, previous bond provisions altered	396	2199
Eastport Fire Station and Paramedic Unit, previous bond provisions altered for the purpose of funding the Annapolis Recreational Center on St. Mary's Street	396	2228
Ebenezer Community Life Center, previous bond provisions altered	396	2224 2233
Elkridge Volunteer Fire Department Station	396	2166
Exploration of Captain John Smith Exhibit, previous bond provisions altered	396	2239
Federally Qualified Health Centers	396	2154
Forensic Medical Center, previous bond provisions altered	396	2203
Forestville Military Academy Track, previous bond provisions altered	188	863
Former Ellicott City Post Office	396	2175
Fort Frederick State Park	396	2152
Frederick Alliance for Youth – Youth and Community Center	396	2175 2187
Frostburg State University, Center for Communications and Information Technology	396	2157 2218 2222
Gaithersburg Community Museum, previous bond provisions altered	396	2239
Garrett–Jacobs Mansion, performance hall	396	2170
Glen Avenue Firehouse, previous bond provisions altered	396	2209
Glenbrooke stormwater management pond renovation	396	2176
Good Shepherd Center, student courtyard renovation	396	2173
Greater Baden Medical Services Facility	396	2174
Greenbelt Arts Center	396	2191
Habitat for Humanity of the Chesapeake, homes in Baltimore City	396	2184
Hagerstown Barrack and Garage, previous bond provisions altered	396	2206
Hagerstown Community College Arts and Science Complex, previous bond provisions altered	396	2212
Harford Community College, Susquehanna Center, previous bond provisions altered	396	2213 2219
Harriet Tubman Underground Railroad State Park, previous bond provisions altered	396	2211 2217
HART Animal Adoption Center	396	2175
Helicopter replacement to upgrade State Police fleet and purchase of flight training device	396	2161

	Chapter	Page
		2220
		2223
Helicopter replacement to upgrade State Police Fleet, previous bond provisions altered	396	2213
Historic Diamond Press Building	396	2184
Homecrest House	396	2176
Homeless youth facilities	396	2170
Homeownership programs, for below–market interest rate mortgages with minimum down payments to low– and moderate–income families	396	2160
HopeWell Cancer Support Facility, previous bond provisions altered	396	2245
		2247
Hospice of Queen Anne's, previous bond provisions altered	396	2245
Hospitals or institutions of higher education that receive at least $500,000 in State bond funding, required to submit report on use of minority business contracts and outreach efforts	396	2194
Housing special loan programs	396	2160
Howard Community College, Allied Health Building, previous bond provisions altered	396	2212
In Our House Homeless Youth Center	396	2185
Infrastructure Improvement Fund in the Maryland Environmental Service, previous bond provisions altered	396	2197
		2201
Intercounty Connector	396	2162
Ivy Youth and Family Center, previous bond provisions altered	396	2230
Ivymount School Annex Building	396	2176
		2189
Jefferson Patterson Park and Museum	396	2151
Jewish Community Center of Greater Washington Theatre	396	2176
		2189
Jewish Community Services Facility	396	2173
Jewish Social Service Agency facility	396	2177
		2189
Joe's Movement Emporium	396	2179
John E. Feggans Center renovation, previous bond provisions altered	396	2245
		2247
Johns Hopkins Medicine, Cardiovascular and Critical Care Tower	396	2162
Johns Hopkins University, Brody Learning Commons on the Homewood Campus	396	2163
Junior League of Baltimore Thrift Store's Community Space	396	2171
		2185
Kellam's Field, previous bond provisions altered	396	2209
Kennedy Krieger Institute, Comprehensive Autism Center	396	2163
Largo High School PTSA track renovation, previous bond provisions altered	187	861
Latino Economic Development Corporation facility, previous bond provisions altered	396	2242
Laurel Armory Anderson Murphy Community Center	396	2180
Laurel Police Department Facility Community Space	396	2191
Lewisberry Corridor lighting improvements	396	2177
Liberty Road Corridor infrastructure improvements	396	2165

	Chapter	Page
Linwood Center	396	2167 2182
Lions Camp Merrick, previous bond provisions altered	396	2236
Little Bennett Regional Park, day use area	396	2234 2235
Little Sisters of the Poor, boiler room	396	2168 2182
Lowe House Office Building	396	2148
Lowe House Office Building, previous bond provisions altered	396	2210 2214
MacDonald Knolls Center	396	2177 2189
Marleigh Community Safety and Surveillance System, previous bond provisions altered	396	2245
Mary Harvin Transformation Center	396	2171
Maryland Center of Veterans Education and Training	396	2171
Maryland Correctional Training Center	396	2155
Maryland Food Bank	396	2168 2182
Maryland General Hospital	396	2167
Maryland Hall for the Creative Arts	396	2163 2231 2233
Maryland Historical Society	396	2168
Maryland House of Correction deconstruction	396	2154
Maryland Institute College of Art, Studio Center	396	2163
Maryland Institute for Emergency Medical Services Systems, communications systems	396	2150
Maryland–National Capital Park and Planning Commission field lights	396	2191
Maryland School for the Blind	396	2165 2220
Maryland School for the Deaf, Frederick Campus –		
Elementary, Family Education, and Student Support Services Complex, previous bond provisions altered	396	2202
Fire alarm and emergency notification system	396	2158
Maryland State Welcome Center at the Baltimore Inner Harbor, previous bond provisions altered	396	2195
Maryland Veterans Memorial Museum	396	2187
Maryland Zoo in Baltimore	396	2164
Mattie B. Uzzle Outreach Center	396	2171 2185
Mental Health Association, HVAC replacement	396	2177 2189
Mercy Medical Center	396	2167
Milford Mill Academy sign, previous bond provisions altered	396	2209
Montgomery College, Rockville Science East	396	2219
Morgan Mill Facility	396	2171
Morgan State University –		
Athletic fields and softball facilities, previous bond provisions altered	396	2201 2202
Banneker Hall, previous bond provisions altered	396	2202 2208

	Chapter	Page
Campuswide utilities upgrade, previous bond funds altered...	396	2205
Center for the Built Environment and Infrastructure Studies	396	2159
Jenkins Behavioral and Social Sciences Center	396	2159
Lillie Carroll Jackson Museum renovation	396	2159
Montebello Complex E–Wing, Old Power Plant, Morgue, and Northwood Shopping Center demolition, previous bond provisions altered	396	2200 2205
School of Business Complex	396	2159
Mount Pleasant Farm House	396	2175 2188
Mount Rainier civic center	396	2191
Mount St. Mary's University, Bradley Hall	396	2164
Mount Vernon Place Conservancy, for Washington Monument and historic masonry renovation	396	2185
My Sister's Keeper group homes	396	2180 2191
National Aquarium in Baltimore	396	2165
National Children's Museum, previous bond provisions altered ..	396	2164 2237 2240
Neighborhood Business Development Program, for grants and loans to fund community–based economic development activities in revitalization areas	396	2159
New Horizons Disability Job Training and Recycling Center	396	2192
North Beach Public Works Building	396	2173
North Branch Correctional Institution, housing units and support space, previous bond provisions altered	396	2195 2198
North County Park, previous bond provisions altered	396	2210
Noyes Children's Library	396	2177
Ocean City beach replenishment	396	2153
Olde Mill Community and Teaching Center, previous bond provisions altered	396	2243
Olney Boys and Girls Community Park, "Falling Green"	396	2189
Olney Theatre Center	396	2177
One Maryland broadband network	396	2151
Orthodox Congregation of Silver Spring preschool building	396	2178
Oyster habitat restoration projects	396	2153
Palmer Park Boys and Girls Club, previous bond provisions altered	396	2225
Park Heights Women and Children Center	396	2172
Parks and People Headquarters at Auchentoroly Terrace	396	2185
Partnership Rental Housing Fund	396	2160
Patapsco Valley State Park	396	2152
Pathways Alcohol and Drug Treatment Center at the Anne Arundel Medical Center	396	2166
Plumpton Park Zoological Garden	396	2187
Poole's Store	396	2178
Port Discovery, previous bond provisions altered	396	2238 2240
The Powerhouse, previous bond provisions altered	396	2232
Previous years' capital budgets and bond bills, amended	396	2195
Prince George's Community College –		

	Chapter	Page
Center for Health Studies, previous bond provisions altered	396	2212
Circulation/roadway modifications, previous bond provisions altered	396	2212
Prince George's County Hospital System, bond funds for; report required	396	2164
Program Open Space	396	2152 2217 2221
Program Open Space, previous bond provisions altered	396	2211 2214
Public library facilities	396	2155
Public safety communications system	396	2151
Public Safety Training Center, previous bond provisions altered	396	2198
Public School Construction, previous bond provisions altered	396	2149 2207
Public use facilities on State–owned property, capital improvements	396	2152
Qualified zone academies	96	523
Randallstown High School dark room, previous bond provisions altered	396	2210
Redemption and interest, appropriation for	395	2014 2046 2134
Reece Road Community Health Center	396	2166
Riverdale Park Town Hall	396	2180 2192
Rockville District Court, previous bond provisions altered	396	2197 2204
Rockville Swim and Fitness Center, locker room facility	396	2178
Roland Park Fire Station rehabilitation, previous bond provisions altered	396	2241
Rural Legacy Program, previous bond provisions altered	396	2151 2211 2218 2222
St. Ann's Infant and Maternity Home	396	2165
St. Elizabeth School, roof	396	2172 2186
St. Francis Xavier Head Start facility	396	2172
St. John's archaeological site exhibit, previous bond provisions altered	396	2201
St. Mary's College of Maryland –		
Bruce Davis Theater renovation, previous bond provisions altered	396	2203
New academic building, previous bond provisions altered	396	2201
St. Mary's County Fairgrounds, previous bond provisions altered	396	2235
St. Mary's School gymnasium and multi–purpose room, previous bond provisions altered	396	2209
Salisbury City Park, previous bond provisions altered	396	2228
Salisbury University, gymnasium repairs	396	2157
Salisbury Zoological Park Animal Health Clinic, previous bond provisions altered	396	2192 2246 2247

	Chapter	Page
Sandy Point State Park	396	2152
Seneca Park North	396	2178
Shelter and Transitional Housing Facilities Grant Program, for facilities for the homeless	396	2160
Sinai Hospital	396	2165
Smart Growth Economic Development Infrastructure Fund, previous bond provisions altered	396	2196
Sojourner–Douglass College, previous bond provisions altered	396	2199
Somers Cove Marina Commission, procurement of goods, services, and capital improvement, design, and maintenance projects, provisions added and altered	341	1625
South Bowie Boys and Girls Club concession stand, previous bond provisions altered	396	2240
South Mountain Battlefield	396	2152
South River High School Media Center	396	2170
Southern and Broadneck High School field lights, previous bond provisions altered	396	2209
Southern Maryland Higher Education Center, classroom and Engineering Laboratory Building	396	2167
Stadium Place, previous bond provisions altered	396	2244 2246
Star–Spangled Banner Flag House	396	2172
State Annuity Bond Fund Account for payment of bonded indebtedness of State, application of cash received as consideration for helicopters and capital equipment related to helicopters to, requirements added	397	2303
State House –		
Exhibits	396	2148
Old Senate Chamber	396	2148 2217
State Office Building #3, previous bond provisions altered	396	2203
State Police Barrack P land acquisition	396	2161
Stevenson University, previous bond provisions altered	396	2244
Talbot Hospice	396	2181
Teackle Mansion and the Sara Martin Done House	396	2181
Therapeutic pool for people with disabilities, previous bond provisions altered	396	2238 2241
Todd's Inheritance	396	2173
Town Theatre	396	2172
Towson University, campuswide safety and circulation improvements	396	2157
Tri–County Multi–Purpose Center	396	2181 2192
United Cerebral Palsy adult daycare facility	396	2186
United States Colored Troops Memorial, previous bond funds altered	396	2237
University of Baltimore, Law School Building, previous bond provisions altered	396	2157 2212
University of Maryland at Baltimore, Health Sciences Research Facility III	396	2155
University of Maryland, Baltimore County, Performing Arts and Humanities Facility, previous bond funds altered	396	2157

	Chapter	Page
		2208
		2212
		2219
		2222
University of Maryland, College Park –		
Campuswide infrastructure improvements	396	2156
Physical Sciences Complex	396	2156
		2218
Physical Sciences Complex, previous bond provisions altered	396	2212
		2214
Tawes Building conversion, previous bond provisions altered	396	2203
University of Maryland, Eastern Shore, Engineering and Aviation Science Building	396	2157
University of Maryland Medical System, trauma, critical care, and emergency medicine services expansion project	396	2159
Vesta Glenarden facility	396	2180
Warner Manor, previous bond provisions altered	396	2178
		2245
Washington College, Clifton M. Miller Library	396	2164
Wastewater treatment plant enhanced nutrient removal technology	396	2160
		2220
Water park at Bohrer Park	396	2179
		2190
Water Quality Revolving Loan Fund, for water quality improvement projects	396	2160
Water Supply Financial Assistance Program, for assistance to State and local government entities	396	2161
Waterway Improvement Fund	396	2153
Weinberg Center for the Arts	396	2175
		2188
Western Correctional Institution, Vocational Education Building and landfill closure cap, previous bond provisions altered	396	2204
Western Maryland Regional Library, previous bond provisions altered	396	2155
		2211
Whitemarsh Turf Field, previous bond provisions altered	396	2180
		2243
Wiley H. Bates Heritage Park, turf field	396	2166
William Paca House, previous bond provisions altered	396	2246
Woodlawn High School, previous bond provisions altered	396	2210
Youth Detention Facility, previous bond provisions altered	396	2208
		2211
		2214
		2218
		2220
		2222
State Contracts SEE Procurement		
State Employees —		
Abolishment of 450 regular full–time equivalent positions from the Executive Branch and reduction of funding for salaries and fringe benefits, provisions added	395	2094
Administrative and operational expenses of the several State retirement and pension systems, payment by participating		

	Chapter	Page
State and local employers and not transferred from accumulation fund of each system, provisions added	397	2317 2322 2323
Average final compensation for purposes of retirement or pension benefits, provisions altered	397	2312
Budget bill, Governor required to include additional information regarding State's contribution to each retirement and pension system in order to reflect the impact of legislation increasing employee contributions and reducing the liabilities of the State Retirement and Pension System	397	2386
Certification of and report on status of positions created with non–State funding sources, requirements added	395	2089
Creation of additional State employee positions, authorization provisions and limitations added	395	2089
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431 432	2579 2583
Employee bonuses, appropriation for	395	1863
Employees' and retirees' health plan, appendix to the budget books required to provide an accounting of associated revenues and expenditures	395	2090
Employees' and Teachers' Pension System, member contribution rates, termination of membership, eligibility for benefits, provisions altered	397	2325
Employees' and Teachers' Retirement Systems, funding reduced for various State agencies for fiscal 2012	395	2080
Executive Pay Plan –		
Positions, quarterly reports required	395	2088
Salary schedule for fiscal 2012	395	2052
Transportation Department, salary schedule for fiscal 2012	395	2063
Full–Time Equivalent Positions –		
Counts of contractual positions, report in budget books, requirements added	395	2084
Total number authorized at end of fiscal 2011 and beginning of fiscal 2012, determination required; report on creation, abolishment or transfer of regular and contractual positions, required	395	2090
Health and Mental Hygiene Department employees employed at a facility scheduled to be closed, retention bonuses, provisions added	397	2386
Health insurance benefit option and prescription drug benefit for retirees, eligibility and State subsidy amount, provisions altered	397	2304
Injured Workers' Insurance Fund, employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	132 276	636 1348
Law Enforcement Officers' Bill of Rights extended to apply to members of the Internal Investigation Unit of the Department of Public Safety and Correctional Services	39	231
Law Enforcement Officers' Pension System, DROP interest rate, provisions altered	397	2337

	Chapter	Page
Maryland Automobile Insurance Fund, employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	312	1536
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Memorandum of understanding negotiated between the State and an exclusive representative that is ratified between January 1 and June 1, 2011, declared to be in compliance with certain collective bargaining process requirements	397	2390
Merit increases, restrictions added; reports required regarding policies for designating operationally critical staff, staff identified as critical, and merit increases awarded as a consequence of this designation	397	2385
Nonclassified State government positions, appropriation for salaries	395	2047
Number and classes of authorized State positions, or person years of employment, determination and amendment, provisions added	395	2047
Personnel Services and Benefits, Office of, appropriation to	395	1862
		2056
Persons holding two public offices simultaneously, compensation for second office prohibited	395	2050
Position identification number for abolished position, reassignment to different job or function, prohibition added	395	2090
Postretirement Health Benefits Trust Fund, funding from certain federal subsidies, provisions repealed	397	2348
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added	314	1541
Reformed Contributory Pension Benefit, provisions added	397	2329
		2348
Retirement Agency, State, appropriation to	395	1869
		2072
		2077
		2140
Salaries and wages for State employees, funding reduced within Executive Branch agencies in fiscal 2012	395	2081
		2094
		2139
Soil conservation district field personnel position counts and funding, reports required	395	1900
Special fund savings from abolishment of State positions and from reductions to electricity expenditures, transfer to the General Fund, provisions added	397	2380
State Employee and Retiree Health and Welfare Benefits Fund, funding from certain federal subsidies, provisions repealed	397	2311
State Employee and Retiree Health and Welfare Benefits Program, requirement to provide incentives to health care providers to promote adoption and use of electronic health records repealed; support of incentives through contracts		

	Chapter	Page
with third party administrators, provisions added	380	1769
State Employee and Retiree Health Insurance –		
Reduction of appropriations for, provisions added	395	2065
		2070
		2075
Transfer of appropriations for costs between State agencies, restrictions on use of funds, and accounting detail, provisions added	395	2064
State military service credit, provisions altered	397	2351
State Police Retirement System, eligibility for benefits and DROP participation, provisions altered	397	2334
State retiree prescription drug benefits, discontinuation for Medicare–eligible retirees, provisions added	397	2310
State Retirement Agency retired employees who are rehired for a certain period, earnings limitation exception, provisions added	397	2386
State Retirement and Pension Systems –		
Appropriation for	395	1869
		2049
		2057
	397	2322
Biennial report required on the financial health of the several systems	397	2388
Board of Trustees, annual report required on the funding progress of the several systems	397	2388
Contribution rate, provisions altered	397	2318
Cost–of–living adjustment (COLA) to retirement allowances, provisions to prevent negative adjustments and adjust succeeding year adjustments, added; review of pension law COLA provisions and report required	599	3510
Cost–of–living adjustments, provisions altered	397	2341
Military service credit for persons who performed active military duty prior to membership, eligibility provisions altered	59	275
Provisions to simplify the administration of, added	591	3474
Retiree Reemployment –		
Earnings limitation exemption for those reemployed by Department of Health and Mental Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long–term exemption repealed	615	3596
Earnings offset, reduction prohibited from exceeding an amount that would reduce retiree's allowance to less than what is required to pay retiree's monthly medical insurance premiums	136	644
Number of years of retirement required for eligibility for exemption from earnings offset of retirement allowance, provisions altered	106	550
Vested allowance, provisions altered	397	2338
Supplemental retirement plans established by State universities and colleges or the Higher Education Commission for employees and community colleges, methods for making employee contributions to accounts, provisions altered	337	1614
Teachers and State Employees Supplemental Retirement Plans,		

	Chapter	Page
appropriation for	395	1869 2025 2057 2072 2077 2140
Transfer of service credit between retirement or pension systems, provisions altered	397	2348
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered	617	3599
Unclaimed money due former members, retirees, and beneficiaries of the State Retirement and Pension System, publication of names of individuals and employers for purposes of notification, provisions added	60	276
Warrant Apprehension Unit, established in Division of Parole and Probation; employees authorized to make arrests and classified as police officers and law enforcement officers	366	1716
State Fair SEE Fairs		
State Government SEE Administrative Agencies; Electronic Government		
State Hospitals —		
Deer's Head Hospital Center –		
Appropriation for	395	1908
Bond funds for	396	2154
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456 457	2703 2708
Mental health facilities, appropriations to various	395	1911 1914 2030
Mental Hygiene Administration facilities that have been closed, provisions of law relating to, repealed	122	604
Spring Grove Hospital Center redevelopment plan, appropriation for; report required	395	1912
State–run psychiatric hospital capacity, independent study of factors for determining the future need for, appropriation for; report required	395	1911
Transfer of an individual from a Mental Hygiene Administration facility to the Clifton T. Perkins Hospital Center, provisions added; transfer of an individual between Administration facilities other than Clifton T. Perkins without consent, provisions added	114	579
Trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program for State mental health facilities	248 249	1115 1125
Western Maryland Center, appropriation for	395	1908
State House —		
Exhibits, bond funds for	396	2148
Flag to honor and remember members of the armed forces who died in the line of duty and POW/MIA flag, requirements for flying on State House grounds, provisions added and altered	422	2550

	Chapter	Page
Master Plan, appropriation for	397	2353
Old Senate Chamber, bond funds for	396	2148 2217
State Law Library SEE Libraries		
State Police, Department of —		
Appropriation to	395	2011 2045 2063 2071 2073 2076 2077 2081 2133 2140
Aviation Division equipment repair, appropriation for	395	2133
Barrack P, bond funds for land acquisition	396	2161
Hagerstown Barrack and Garage, previous bond provisions altered	396	2206
Helicopter Replacement –		
Bond funds to upgrade State Police fleet and purchase flight training device	396	2161 2220 2223
Previous bond provisions to upgrade State Police fleet, altered	396	2213
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Motor vehicle replacement policy, report required	395	2012
9–1–1 fee on wired lines, use to support the Computer Aided Dispatch/Records Management System project in the Maryland State Police, provisions added	397	2380
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added	172 173	809 819
State Police Retirement System, eligibility for benefits and DROP participation, provisions altered	397	2334
State Retirement and Pension Systems special death benefits, provisions to simplify the administration of, added	591	3474
Tow companies, establishment and maintenance of list of companies that meet certain standards for use by Department of State Police, requirements added	365	1715
Work zone speed control fines, distribution of revenue to State Police for purchase of replacement vehicles and related equipment, provisions added	397	2367
State Prosecutor —		
Appropriation to	395	1835 2048 2071 2075 2080

	Chapter	Page
State Roads SEE Highways		
State Universities and Colleges —		
Agreements between State agencies and any public institution of higher education involving expenditures in excess of $100,000, reports required	395	2085
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Fertilizer content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Historically black institutions, report required on how educational grant funds will be spent	395	1974
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Morgan State University –		
Appropriation to	395	1968
		1978
		1983
		2074
		2075
		2079
		2080
		2082
Athletic fields and softball facilities, previous bond provisions altered	396	2201
		2202
Banneker Hall, previous bond provisions altered	396	2202
		2208
Campuswide utilities upgrade, previous bond funds altered	396	2205
Center for the Built Environment and Infrastructure Studies, bond funds for	396	2159
Intercollegiate athletics, report required on the amount of general funds expended on	395	1980
Jenkins Behavioral and Social Sciences Center, bond funds for	396	2159
Lillie Carroll Jackson Museum renovation, bond funds for	396	2159
Montebello Complex E–Wing, Old Power Plant, Morgue, and Northwood Shopping Center demolition, previous bond provisions altered	396	2200
		2205
School of Business Complex, bond funds for	396	2159
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
St. Mary's College of Maryland –		
Appropriation to	395	1968
		1978
		2074
		2075

	Chapter	Page
		2079
		2080
		2082
Bruce Davis Theater renovation, previous bond provisions altered	396	2203
Intercollegiate athletics, report required on the amount of general funds expended on	395	1980
New academic building, previous bond provisions altered	396	2201
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Shuttle bus and transportation service provided by University of Maryland, College Park to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
State employee merit increases, restrictions added; reports required regarding policies for designating operationally critical staff, staff identified as critical, and merit increases awarded as a consequence of this designation	397	2385
State operated institutions of higher education, appropriation for	395	1977
		2071
		2076
		2081
Supplemental retirement plans established by State universities and colleges or the Higher Education Commission for employees and community colleges, methods for making employee contributions to accounts, provisions altered	337	1614
Tuition and mandatory fee waivers for foster care recipients enrolled at public institutions of higher education, eligibility age requirements altered	159	730
University of Maryland Medical System, bond funds for trauma, critical care, and emergency medicine services expansion project	396	2159
University System of Maryland –		
Academic facilities bonding authority expanded; bond sale approved for new performing arts and humanities facility at University of Maryland, Baltimore County and system–wide capital facilities renewal projects	357	1694
Appropriations to various campuses and facilities	395	1969
		1977
		1978
		1983
		2075
		2079
		2080
		2082
		2126
Aquaculture production research, University of Maryland designated as lead agency for, and responsible for education and extension programs that promote aquaculture as an industry	411	2480
Bowie State University –		

	Chapter	Page
Campuswide site improvements	396	2156
Field house renovation and addition	396	2157
Fine and Performing Arts Building	396	2156
Football stadium field lights	396	2157
Frostburg State University, bond funds for Center for Communications and Information Technology	396	2157 2218 2222
Intercollegiate athletics, report required on the amount of general funds expended on	395	1980
Merger of the University of Maryland, College Park and the University of Maryland, Baltimore, study and report required	395	1971 1981
Salisbury University, bond funds for gymnasium repairs	396	2157
Towson University, bond funds for campuswide safety and circulation improvements	396	2157
University of Baltimore, Law School Building –		
Bond funds for	396	2157
Previous bond provisions altered	396	2212
University of Maryland at Baltimore –		
Health Sciences Research Facility III	396	2155
Wellmobile, appropriation for	395	2127
University of Maryland, Baltimore County, Performing Arts and Humanities Facility –		
Bond funds for	396	2157 2219 2222
Previous bond provisions altered	396	2208 2212
University of Maryland, College Park –		
Campuswide infrastructure improvements, bond funds for	396	2156
Physical Sciences Complex, bond funds for	396	2156 2218
Physical Sciences Complex, previous bond provisions altered	396	2212 2214
Tawes Building conversion, previous bond provisions altered	396	2203
University of Maryland Eastern Shore, bond funds for Engineering and Aviation Science Building	396	2157
State's Attorneys —		
Firearms, use in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered	164 165	741 744
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016
Somerset County –		
Deputy State's Attorney engaging in the private practice of law, prohibition repealed	61	277
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund		

	Chapter	Page
established	261	1192
	262	1200
Statutes of Limitation —		
Fourth degree sexual offense involving nonconsensual sexual contact if the victim is a minor, statute of limitations increased for prosecution	192	875
	193	878
Stem Cell Research SEE Medical Research		
Stocks SEE Securities		
Storage —		
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores	386	1786
Electronic citations for natural resources offenses, hearing procedures, and suspension of recreational or commercial fishing license; inspection of commercial fishing operations and seizure and forfeiture of fishing gear and fish, provisions added	468	2741
	469	2749
Prince George's County –		
Precious metal object dealers, required period of time for holding certain precious metal objects, provisions altered	306	1510
	307	1512
Seafood business operation by a person using the person's personal property or real estate, county authority to authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784
Stormwater SEE Flood Control		
Streams SEE Rivers and Streams		
Street Lights —		
Lewisberry Corridor lighting improvements, bond funds for	396	2177
Outdoor lighting units on the grounds of State buildings or facilities, energy conservation requirements and light pollution restrictions for using State funds for installing or replacing, and waiver requests, provisions added	353	1663
Streets and Roads SEE Highways		
Strikes —		
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Strip Mining SEE Mining		
Student Financial Aid SEE Scholarships and Student Financial Aid		
Students —		
Athletic competitions sanctioned by a county board of education, minimum academic performance standards that public high school students must meet for participation in, report required	335	1607
Bar admission requirement for practicing law in the State, exception for persons representing a landlord in a District Court rent escrow proceeding and persons representing a tenant in a District Court rent escrow proceeding under certain circumstances, provisions added	66	379
	67	380

	Chapter	Page
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Cultural diversity promotion and enhancement at institutions of higher education, submission deadlines altered for various reports and program plans	52	260
Education records of juveniles who receive educational services from Department of Education in a residential juvenile services facility, sharing between Department of Education and Department of Juvenile Services authorized	16	169
Educationally deprived children, appropriation for	395	1962
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Falsified transcripts, diplomas, or grade reports of an institution of postsecondary education, creating, procuring, buying, selling, or distributing prohibited	53	261
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Gifted and talented, appropriation for	395	1962
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
High school graduation rate formula and ethnic and racial categories in the formula, altered; report regarding collecting, maintaining, and analyzing data concerning graduation rates, requirement repealed	51	254
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Need–Based Student Financial Assistance Fund, created	397	2277
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Private school policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged	486	2870
	487	2875
Public school transportation, appropriation for	395	1963
School Safety, Task Force to Study the Creation of a Maryland		

	Chapter	Page
Center for, established; report required	550	3264
	551	3268
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
Students with Disabilities –		
Accounting system and reporting requirements for nonpublic placements program, provisions added	395	2087
Appropriation for	395	1961
		2124
Rate of payment for education services by providers of nonpublic placements or providers with rates set by the Interagency Rates Committees, provisions altered	397	2385
Talbot County –		
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Tuition and mandatory fee waivers for foster care recipients enrolled at public institutions of higher education, eligibility age requirements altered	159	730
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
Walter Sondheim Jr. Public Service Summer Internship Scholarship Program, types of eligible students expanded to include a student who assists in providing legal services in a public service position	340	1621
Stun Guns SEE Weapons		
Subdivisions SEE Zoning and Planning		
Subsequent Injury Fund SEE Workers' Compensation		
Substance Abuse —		
Alcohol and Drug Abuse Administration, appropriation to	395	1909
		2029
		2059
		2094
Community mental health, addiction treatment, and developmental disabilities facilities, bond funds for	396	2154
Dayspring Square facility, bond funds for	396	2184
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Mattie B. Uzzle Outreach Center, bond funds for	396	2171
		2185
Pathways Alcohol and Drug Treatment Center at the Anne Arundel Medical Center, bond funds for	396	2166

	Chapter	Page
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748
Recovery homes, Department of Health and Mental Hygiene required to identify standards for best practices and report findings	255	1176
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Substance abuse treatment options for court–involved youth, report required	395	2094
Vesta Glenarden facility, bond funds for	396	2180
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Subways SEE Mass Transit		
Suicide SEE Death		
Suits SEE Civil Actions		
Sunday Sales SEE Blue Laws		
Sunset —		
Affordable housing programs, authority of local government to support through waivers of certain fees and charges, termination date repealed	23	182
Ambulance service providers, direct reimbursement and nonpreferred provider minimum benefit amount, provisions added; Health Care Commission reports required	425	2556
	426	2561
Architects, State Board of, termination date of statutory provisions and regulations extended; evaluation required; report required regarding the sufficiency of the balance in the State Occupational and Professional Licensing Design Boards' Fund	316	1547
Baltimore County Board of Education, Task Force on the Membership and Operation of the, established; report required	459	2715
	460	2718
Campaign Finance Law, Commission to Study, created; reports required	JR 1	3623
Collection Agency Licensing Board, State, termination date of statutory provisions and regulations extended; evaluation required	332	1587
Community Services Reimbursement Rate Commission, termination date extended	94	521
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Debt settlement services, provider registration and regulation		

	Chapter	Page
and consumer protection, provisions added	280	1376
	281	1394
Dental hygienists, authorization to monitor patients to whom nitrous oxide is administered, provisions added	271	1324
	272	1328
Direct mailings by retiree organizations to State retirees, provisions altered; termination provisions repealed	431	2579
	432	2583
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Electric Vehicle Infrastructure Council, Maryland, established; reports required	400	2407
	401	2410
Electrology Practice Committee, termination date of statutory provisions and regulations extended; evaluation required; State Board of Nursing reports required	573	3383
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Financial Regulation, Office of Commissioner of, termination date of statutory provisions and regulations extended; evaluation required	332	1587
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Harford County –		
Sprinkler system requirements for one or two family dwellings constructed as industrialized buildings, date established before which compliance is not required	93	520
Health insurance for self–employed individuals and sole proprietors, provisions for exclusion from small group insurance market, termination date extended	104	546
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Home Improvement Commission, Maryland, and Maryland Mold Remediation Services Act, termination dates extended; evaluations and Commission report required	333	1596
Immigrants in Maryland, Commission to Study the Impact of, termination date extended and report deadline altered	174	829
	175	832
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040

	Chapter	Page
Income tax credit for purchase of bio–heating oil for space or water heating, definition of bio–heating oil altered	566	3361
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Insurance Administration, sunset evaluation deadline extended	418	2536
Marijuana, medical use established as affirmative defense in prosecution for use or possession; discipline of physician who provides opinion to patient that patient would benefit from use, prohibited; Work Group to develop model medical marijuana program, establishment required	215	970
Master Electricians, State Board of, termination date of statutory provisions and regulations extended; evaluation and report required; regulations required that establish continuing education requirements for license renewal	201	894
Medication technician graduates and those applying for certification renewal, extension of time period for practicing without certification, provisions added; report required on online program for processing certification applications and analysis of Board of Nursing staffing	123	610
Minority Business Enterprise Program and Equity Investment Capital, Task Force on the, termination date and report deadline extended	254	1168
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Nursing Home Administrators, State Board of Examiners of, termination date of statutory provisions and regulations, extended; membership altered; evaluation and report required	24	184
Parole revocation, authority of parole commissioner who conducts revocation hearing to require inmate to serve any unserved portion of original sentence, provisions added; report required regarding inmates whose sentences were reduced following parole revocation	381	1771
Parole violations by releasees from the Division of Correction, development of pilot program for graduated and administrative sanctions and reports required	554	3279
	555	3287
Percutaneous coronary intervention (PCI), establishing a program or providing services in a hospital, restrictions added; report required on statutory changes needed for appropriate oversight of PCI services	616	3598
Perfusion, regulation of licensing and practice of, provisions added; Perfusion Advisory Committee established within State Board of Physicians	588	3449
Podiatric Medical Examiners, State Board of, termination date of statutory provisions and regulations extended; evaluation required; report required from Board	419	2537
Prescription Drug Monitoring Program and technical advisory committee, and Advisory Board on Prescription Drug Monitoring, established to monitor the prescribing and dispensing of certain controlled dangerous substances; reports required	166	748

	Chapter	Page
Prince George's County –		
Roadside solicitation of money or donations from a vehicle occupant, termination date of permit program extended ...	376	1757
School facilities surcharge, exemption for replacement single–family dwelling built on same lot in the Rural Tier, provisions added; annual report requirements altered.....	612	3576
Professional Engineers, State Board for, termination date of statutory provisions and regulations extended; evaluation and Board report required	317	1548
Program Open Space future annual funding that is apportioned to a local governing body, use for development projects after acreage acquisition goals have been attained, provisions altered.....	470	2758
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Psychologists, State Board of Examiners of, termination date of statutory provisions and regulations extended; evaluation required; reports required	574	3385
Public records access in a searchable and analyzable electronic format, provisions added	536	3174
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added.....	172	809
	173	819
Racetrack Facility Renewal Account and Purse Dedication Account, distribution and use altered to provide operating assistance to racing licensees and increased aid for capital improvements; simulcasting agreement dispute resolution and right of refusal to buy Bowie Race Course Training Center, provisions added	412	2497
Regional Higher Education Center in Northeastern Maryland, Task Force to Study the Creation of a, established; report required	614	3586
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed.....	124	613
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required.....	550	3264
	551	3268
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Southern Maryland Higher Education Council, established; reports required	622	3610
Spay/Neuter Fund, Task Force on the Establishment of a Statewide, established; report required.....	266	1228
State retiree earnings limitation, exemption for those reemployed by Department of Health and Mental Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long term exemption repealed	615	3596

	Chapter	Page
State Retirement and Pension Systems, cost–of–living adjustment (COLA) to retirement allowances, provisions to prevent negative adjustments and adjust succeeding year adjustments, added; review of pension law COLA provisions and report required	599	3510
Tax credits for employers who hire certain qualifying individuals with disabilities, provisions altered and termination date extended	558	3329
Thoroughbred Racing Sustainability Task Force, established; report required	412	2497
Tree expert licenses, application and renewal fees and timetable and procedure for renewal, provisions altered	20	177
Unemployment insurance, payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
University of Maryland, College Park shuttle bus and transportation service provided to its students and residents of a municipal corporation where it operates, motor carrier permit exemption provisions altered; termination date extended; report required	373	1749
Video lottery operation license applicant or licensee, minority business participation requirements for construction and procurement, termination date extended; compliance monitoring and enforcement provisions, termination date added	507	2993
Sunshine Laws SEE Public Information		
Support of Dependents —		
Child Support Enforcement Administration – Appropriation to	395	1931 2059
Local, appropriation for	395	1931
Personal injury award or settlement, withholding of portion of award or settlement to pay child support arrearage, provisions added	603	3535
Surface Mining SEE Mining		
Surveillance SEE Electronic Surveillance		
Surveyors —		
Developmental disabilities services providers, performance evaluation of surveyors who carry out inspections of each site or office operated by a licensed provider, requirements added	116	584
Property markers, penalty increased for willfully obliterating, damaging, or removing	33 34	214 215
State Occupational and Professional Licensing Design Boards' Fund, report required regarding sufficiency of balance	316	1547
Swimming Pools —		
Therapeutic pool for people with disabilities, previous bond provisions altered	396	2238 2241

T

Talbot County —

	Chapter	Page
Housing Commission of Talbot County and St. Michaels Housing Authority, unification by consolidation or merger, provisions added	323	1559
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
State Bonds –		
Black Walnut Point Natural Resources Management Area	396	2152
Chesapeake Bay Maritime Museum, bulkhead replacement	396	2181
Talbot Hospice	396	2181
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251
Task Forces SEE Committees and Commissions		
Tax Court, Maryland —		
Appropriation to	395	1835
		2071
		2075
		2080
Tax Credits —		
Anne Arundel County –		
Property tax credit for certain real property leased to public charter schools, provisions added	95	522
Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general	298	1480
	299	1480
Bio–heating oil purchase for space or water heating, definition of bio–heating oil altered for income tax credit purposes	566	3361
Biotechnology Investment Tax Credit –		
Definition of a qualified Maryland biotechnology company expanded for FY 2012 and FY 2013 only to include a company in active business for up to 15 years	349	1648
Reserve Fund, appropriation for	395	1994
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added	352	1661
Electric vehicle recharging equipment, income tax credit provisions added	402	2414
Electricity produced from qualified energy resources, income tax credit requirement that certain qualified waste material be only solid or cellulosic, repealed	565	3359
Employers who hire certain qualifying individuals with disabilities, tax credit provisions altered and termination date extended	558	3329
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Habitat for Humanity, local property tax credit provisions altered	130	634
Invest Maryland Program and Maryland Venture Fund Authority established; purchase of insurance premium tax credits to fund qualified investments in State businesses, and		

	Chapter	Page
certification of venture firms, provisions added	409	2440
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Prince George's County –		
Municipal corporations authorized to establish revitalization districts and grant property tax credit against municipal property tax on property in districts	476	2773
Property Tax Credit Programs, appropriation for	395	1860
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Sales and use tax, maximum credit allowed to vendor for expense of collecting and paying tax, provisions altered	397	2357
Sustainable Communities Tax Credit –		
Appropriation for	395	1847
		2022
Maximum fee for program administrative costs, provisions altered; use of reserve fund to pay administrative costs if fees are inadequate; special provisions for high performance buildings and qualified rehabilitated structures, applicable only to commercial rehabilitations	383	1777
Program eligibility of commercial rehabilitations for which proposed rehabilitation work has begun, provisions altered	133	638
Teachers at correctional facilities and certain juvenile facilities, income tax credit for tuition costs for graduate level courses required to maintain certification, provisions added	490	2883
Tax Sales —		
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
Baltimore County –		
Posting of certain statement and notice, requirement and fee repealed; administrative fee for certain costs and expenses, provisions added	475	2771
Dorchester County –		
Notice requirements and amount of auctioneer's fee allowed as an expense, provisions altered	328	1579
Garrett County –		
Auctioneer's fee altered	115	582
Taxes SEE Revenue and Taxes		
Teachers —		
Adjutant General required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and		

	Chapter	Page
certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
Audit of local school systems, public libraries, and community colleges to ensure that the State is properly reimbursed by local entities for pension payments and that payments are in accordance with pension law, provisions altered	452	2687
Certification and Accreditation, Division of, appropriation to	395	1958
Discrimination in the employment of public school employees, provisions conformed to other provisions of State law governing employment discrimination	322	1558
Employee's and Teacher's Retirement Systems, funding reduced for various State agencies for fiscal 2012	395	2080
Human trafficking, awareness and training for directors of student services in local schools and resource information for local school personnel, students, and parents, requirements added	137	654
Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions, Task Force to Study the, created; report required	223	1040
Income tax credit for teachers at correctional facilities and certain juvenile facilities for tuition costs for graduate level courses required to maintain certification, provisions added	490	2883
Loaned educators, maximum length of engagement and financial disclosure statements, requirements added; reports required on number of loaned educator contracts, conversions to regular positions, and new contracts	395	1955
Public school employee fringe benefits, appropriation for State aid for	395	1960
		2081
State Retirement and Pension System –		
Provisions to simplify the administration of with respect to reemployment, added	591	3474
Retired members who are reemployed by last employer prior to retirement, number of years of retirement required for eligibility for exemption from earnings offset of retirement allowance, provisions altered	106	550
Retiree reemployment earnings offset, reduction prohibited from exceeding an amount that would reduce retiree's allowance to less than what is required to pay retiree's monthly medical insurance premiums	136	644
Teacher development, appropriation for	395	1963
Teachers and State Employees Supplemental Retirement Plans, appropriation for	395	1869
		2025
		2057
		2072
		2077
		2140

Technology SEE Computers; Industry and Technology
Telecommunications —
See also Telephones
Community health resources, Community Health Resources Commission assistance in preparing to implement the federal

	Chapter	Page
Patient Protection and Affordable Care Act and development of a business plan to provide them ongoing assistance, provisions added	242	1096
	243	1100
Cybersecurity Innovation and Excellence, Commission on Maryland, established; reports required	250	1136
	251	1141
Digital Interconnection Network System, previous bond provisions altered	396	2198
Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program, Task Force on Funding, established; report required	360	1701
Insurer notice regarding policy cancellations, nonrenewals, premium increases, or reductions of coverage, delivery by electronic means to insured or policyholder, provisions added	259	1182
	260	1187
Major Information Technology Development Project Fund –		
Appropriation for	395	1865
Sources of funding for, provisions altered	397	2299
One Maryland broadband network, bond funds for	396	2151
State agency major information technology development projects, approved systems development life cycle plan requirements for funding approval, provisions added	397	2297
Telecommunications Access of Maryland, appropriation for	395	1868
Text messaging devices, use while driving prohibited, provisions expanded	471	2759
	472	2761
Transfer of appropriations for costs between State agencies, restrictions on use of funds, and accounting detail, provisions added	395	2064
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Telephone Solicitation SEE Solicitation		
Telephones —		
Distribution of print telephone directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
9–1–1 Emergency Number Systems, appropriation for	395	1942
9–1–1 fee on wired lines, use to support the Computer Aided Dispatch/Records Management System project in the Maryland State Police, provisions added	397	2380
Text messaging devices, use while driving prohibited, provisions expanded	471	2759
	472	2761
Television —		
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
Temporary Assistance for Needy Families SEE Welfare		
Temporary Cash Assistance SEE Welfare		

	Chapter	Page
Tenants SEE Landlord and Tenant		
Territorial Limit SEE Boundaries		
Terrorism SEE Violence		
Testimony SEE Witnesses		
Tests SEE Chemical Tests; Examinations		
Textbooks —		
Nonpublic school aid for textbooks or electronically delivered learning materials, appropriation for	395	1965
Theaters —		
Allegany County –		
Class B–BT (Buffet Theater) beer, light wine and liquor license, types of entertainment that an establishment may provide to be eligible for, provisions altered	121	603
American Film Institute Silver Theatre and Cultural Center, bond funds for	396	2175
		2188
Annapolis Summer Garden Theatre, previous bond provisions altered	396	2238
Hippodrome Performing Arts Center, appropriation to	395	1844
		2019
Imagination Stage, appropriation to	395	1965
Jewish Community Center of Greater Washington Theatre, bond funds for	396	2176
		2189
Olney Theatre –		
Appropriation to	395	1965
Bond funds for	396	2177
Town Theatre, bond funds for	396	2172
Theft —		
Vehicle Theft Prevention Council, appropriation to	395	2013
Therapists SEE Counselors; Physical Therapists		
Timber SEE Trees		
Tires SEE Motor Vehicle Equipment		
Titles —		
Baltimore City –		
Used car dealers, conducting business on Sunday instead of Saturday under certain conditions, provisions added	182	851
	183	852
Motor Vehicle Certificate of Title Fee –		
Definition of Motor Vehicle Administration miscellaneous fees altered to include half of the certificate of title fee	397	2369
Provisions altered	397	2371
Tobacco —		
Tobacco Transition Program, appropriation for	395	1898
Tolls SEE Fees		
Torts —		
Maryland Tort Claims Act, appropriation for claims under	395	2051
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462
Tourism —		
Annapolis and Anne Arundel County Conference and Visitors Bureau Center, bond funds for	396	2169

	Chapter	Page
Howard County –		
Hotel room rental sales and use tax, maximum authorized rate increased; allocation of revenue, provisions altered....	139	657
Maryland State Welcome Center at the Baltimore Inner Harbor, previous bond provisions altered.....	396	2195
Tourism Development, Office of, appropriation to.....	395	1996
Tourism, Film and the Arts, Division of, appropriation to.....	395	1995
		2062
Towing —		
Tow companies, establishment and maintenance of list of companies that meet certain standards for use by Department of State Police, requirements added.....	365	1715
Toxic Substances SEE Hazardous and Toxic Substances		
Trade SEE Commerce and Business; Electronic Commerce; Foreign Trade		
Trade Secrets —		
Homeowner's insurance, explanation to People's Insurance Counsel of data and output information for model used for setting rates or refusing to issue or renew because of geographic location of the risk, and confidentiality of any disclosed proprietary and confidential commercial information, requirements added.....	154	714
Traders —		
Baltimore County –		
Business license fees altered for licenses for billiard tables, construction, garages, laundries and dry cleaners, plumbers, restaurants, traders, and chain stores.....	386	1786
Traffic Regulation —		
Motorized passenger scooters, operation on certain highways and bicycle ways within the boundaries of Ocean City, provisions added.....	213	963
	214	967
Race–based traffic stops, adoption of model policy and law enforcement agency policies against, and collection of data about traffic stops, provisions added.....	172	809
	173	819
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Traffic cases in District Court, distribution of court costs surcharge altered	397	2264
Trafficking in Persons SEE Human Rights		
Trailers SEE Mobile Homes		
Training SEE Job Training		
Transfer Tax —		
Recordation and transfer tax exemption for transfer of property without consideration from an estate to certain types of trusts or from certain trusts to beneficiaries, provisions added	449	2678
Recordation tax and State transfer tax, exemption for transfer of property to grandparent or stepgrandparent, provisions added	618	3603
Transfer of funds from the State transfer tax special fund to the General Fund	397	2379

	Chapter	Page
Transient Merchants —		
Carroll County –		
Winery special event permits, issuance to wineries for use in farmers' markets, provisions added	479	2784
Farmers' markets in Baltimore County, issuance of winery special event permits to a Class 4 Maryland limited winery for use at, provisions added	331	1585
Farmers' markets in Frederick County, issuance of winery special event permits to a Class 4 Maryland limited winery for use at, provisions added	294	1461
Nonprofit food vendor at youth sporting event or 4–H youth event, sales and use tax exemption for sales of certain food and drink, provisions added	364	1713
Seasonal farmer's market producer sampling license and producer mobile farmer's market license, licensee authorized to sell or offer samples of agricultural products at public festivals or events as well as farmer's markets	437	2643
Transit SEE Mass Transit		
Transportation —		
Capital grants to local governments, appropriation for	395	2108
Capital projects and project costs in the Transportation Department construction program or development and evaluation program, report required in the event a project is added to the approved plan or the scope of a project is altered	395	1873
Consolidated transportation bonds and nontraditional debt, limitations and report, provisions added	395	1879
Debt service requirements, appropriation for	395	1880
Direct wine shipment to consumers by direct wine shippers and common carriers with required permits, provisions added; report required	204	911
	205	926
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Hot air balloons that are not tethered, county or municipal corporation prohibited from imposing admissions and amusement tax on gross receipts from charge for admission to or use of	125	616
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Intermodal freight facility, report on the potential construction of, required	395	1875
Local public transportation system established by a county or municipal corporation or motor vehicles used exclusively by a privately owned transportation company to provide transportation system services under contract with a government body, exemption from motor carrier permit requirements	465	2727
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in Aging Services Advisory Council membership altered	295	1463

	Chapter	Page
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded	625	3619
Operating grants–in–aid, appropriation for	395	1877
Public school transportation, appropriation for	395	1963
Tax credits for employers who hire certain qualifying individuals with disabilities, provisions altered and termination date extended	558	3329
Transportation Authority, bio–fuels that are required to be used in a percentage of State–owned diesel vehicles and heavy equipment, list expanded; gasoline service facilities on the John F. Kennedy Memorial Highway, provisions for sale of bio–fuel added and leasing and marketing restrictions repealed	567	3363
Transportation Technology Services, Office of, appropriation to	395	1878 2108
Transportation Trust Fund –		
Distribution of income tax revenue from corporations to Transportation Trust Fund, provisions altered	397	2353 2389
Distribution of sales and use tax revenue to Transportation Trust Fund, provisions altered	397	2356
Transfer or diversion of funds to General Fund, restrictions added	397	2361
Waste kitchen grease, registration and records requirements for transporting, provisions added; Waste Kitchen Grease Fund established	261 262	1192 1200
Transportation, Department of —		
Appropriation to	395	1873 2063 2072 2073 2077 2078 2082 2108 2140
Capital projects and project costs in the construction program or development and evaluation program, report required in the event a project is added to the approved plan or the scope of a project is altered	395	1873
Electric Vehicle Infrastructure Council, Maryland, established; reports required	400 401	2407 2410
Employee grievance procedures and appeal process for disciplinary actions, provisions altered	617	3599
Executive Pay Plan –		
Positions, quarterly reports required	395	2088
Salary schedule for fiscal 2012	395	2063
Intermodal freight facility, report on the potential construction of, required	395	1875
Law enforcement operations, appropriation for	395	2082

	Chapter	Page
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Positions of employment, ceiling provisions added	395	1874
Recycling program at transit stations, study and report relating to establishment required	134	639
Treasurers —		
Capital leases used to finance energy performance contracts, excluded from tax–supported debt; use by Treasurer authorized; and lease or contractor payments prohibited from exceeding certain energy savings	163	738
Election campaigns, independent expenditures and electioneering communications, reporting requirements added	575	3388
State Treasurer, appropriation to	395	1858
		2049
		2056
		2071
		2072
		2074
		2076
		2077
		2079
		2081
Trees —		
Forest pest management, appropriation for	395	1899
Tree expert licenses, application and renewal fees and timetable and procedure for renewal, provisions altered	20	177
Woodland Incentives Fund, name changed to Mel Noland Woodland Incentives Fund; clarification added that fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Fund funds; annual report requirements clarified	330	1582
Tri–County Council —		
Tri–County Council for Southern Maryland, appropriation to	395	1995
Tri–County Council for the Lower Eastern Shore of Maryland, appropriation to	395	1995
Tri–County Council for Western Maryland –		
Appropriation to	395	1995
Membership altered and executive committee established	310	1529
Tri–County Multi–Purpose Center, bond funds for	396	2181
		2192
Trials —		
School bus monitoring cameras, use on county school buses to enforce offenses relating to overtaking and passing school vehicles, provisions added	273	1332
Truancy —		
High School Dropout Rates of Persons in the Criminal Justice System, Task Force to Study, established; report required	286	1429
Talbot County –		
Truancy Reduction Pilot Program, establishment in juvenile court authorized	48	250
	49	251

	Chapter	Page
Truancy reduction pilot program, requirement repealed that criminal compulsory school attendance violation charge be filed against person with legal custody or care of child and dismissed or stetted before child under 12 is eligible to participate in program	378	1763
Trucks —		
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product	415	2521
Intermodal freight facility, report on the potential construction of, required	395	1875
Intrastate for–hire vehicles over 26,000 pounds designed to carry property, maintenance of minimum financial responsibility consistent with federal regulations, requirements added	111	563
Motor vehicle weight and axle load limits, provisions altered	100	533
Trusts SEE Estates and Trusts		
Tuition —		
Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, appropriation for	395	1975
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Distribution of court costs surcharge for traffic cases to Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program, Emergency Medical System Operations Fund, and Volunteer Company Assistance Fund, provisions added	397	2264
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students; program approval and student financial assistance restrictions, provisions altered	277	1350
Foster care recipients enrolled at public institutions of higher education, age requirements altered for eligibility for tuition and mandatory fee waivers	159	730
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Reimbursement of certain community college student out–of–county fees by Higher Education Commission to community college and by community college to certain students, provisions altered	397	2273
Teachers at correctional facilities and certain juvenile facilities, income tax credit for tuition costs for graduate level courses required to maintain certification, provisions added	490	2883
Tunnels SEE Bridges and Tunnels		

U

Unclaimed Property SEE Abandoned Property		
Uncompensated Care —		
Hospital assessment for savings in averted uncompensated care, comparable assessment for publicly owned specialty hospitals		

	Chapter	Page
that will be used for Medicaid program, provisions added; amount requirement and report on reduction in hospital uncompensated care, provisions altered	397	2286 2289
Unemployment —		
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Governor's Workforce Investment Board, study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Life insurance, definition expanded; permitted riders and provisions, provisions added; analysis of appropriate scope of health insurance products that may be sold in conjunction with a life insurance policy and report, required	41 42	236 238
"Qualified distressed county", qualifying criteria expanded for purposes of certain economic development assistance programs and tax credits and State funding for school construction	303	1498
Unemployment Insurance –		
Benefit Payment Control Automation Project, appropriation for	395	2120
Benefits claims, period of time after which decisions are final that relate to claims appealed to units in the Department of Labor, Licensing, and Regulation, provisions added	108	553
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded	625	3619
Number of times per year a claimant may change a previously elected tax withholding status, restrictions repealed	14	163
Office of Unemployment Insurance, appropriation to	395	1938 2036 2060 2120
Passage by Board of Appeals of an order in accordance with the final decision in a judicial review proceeding for an appeal, requirement repealed	12	160
Payment of extended benefits that are 100% federally funded, provisions added; Extended Benefits Fund established to reimburse counties and municipalities	170	792
Unemployment Insurance SEE Unemployment		
Unfair Trade Practices —		
Debt settlement services, provider registration and regulation and consumer protection, provisions added	280 281	1376 1394
For–profit, private nonprofit, and public institutions of higher education, distinctions between and regulation of, provisions added; guaranty fund created to reimburse certain students;		

	Chapter	Page
program approval and student financial assistance restrictions, provisions altered	277	1350
Household goods movers, written estimates to consumer before providing services for an intrastate move, requirements added	377	1760
Maryland Consumer Protection Act expanded to include unfair or deceptive trade practices by a merchant in connection with the purchase of consumer goods or consumer realty from a consumer if the merchant's business includes paying off consumer debt in connection with the purchase	416	2532
	417	2534
Retained asset accounts and alternative settlement options offered to beneficiaries of life insurance policies or annuity contracts, requirements for insurers, provisions added	38	226
Uniform Laws —		
Surplus lines insurance, law amended to comply with federal law; premium receipts tax collection and reports, participation in National Insurance Producer Database, adoption of uniform requirements for nonadmitted insurance, and study of other state's implementation of federal law, provisions added	520	3048
	521	3099
Uniform Anatomical Gift Act, established to regulate donations of all or part of a human body taking effect after the donor's death for purposes of transplantation, therapy, research, or education; donor registry provisions added; Maryland Anatomical Gift Act, repealed	541	3196
Uninsured Employers' Fund SEE Workers' Compensation		
Unions —		
Baltimore City –		
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Baltimore County –		
Public school employee collective bargaining unit for administrative and supervisory certificated and noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473	2762
	474	2767
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Memorandum of understanding negotiated between the State and an exclusive representative that is ratified between January 1 and June 1, 2011, declared to be in compliance with certain collective bargaining process requirements	397	2390
Universities SEE Higher Education; State Universities and Colleges		
University of Baltimore SEE State Universities and Colleges		
University System of Maryland SEE State Universities and Colleges		
Urban Renewal SEE Commercial Rehabilitation		
Use Tax SEE Sales and Use Tax		
Usury SEE Interest		
Utilities —		
See also Sewage; Telephones; Water		

	Chapter	Page
Annapolis underground wiring, previous bond provisions altered to provide funding for Maryland Hall for the Creative Arts....	396	2231 2233
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added.....	510 511	3007 3008
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added.....	371	1745
Campground that provides certain utility services to campers that are incident to its primary business, excluded from definition of public service company	621	3609
Consumer education by Public Service Commission about customer choice of electricity suppliers, advisory workgroup, public service announcements, and Web site requirements, provisions added; reports required.....	202 203	899 905
Electric company service quality and reliability standards, regulations, annual performance report, and violation penalties, provisions added.....	167 168	767 778
Electric vehicles, pilot program for charging, establishment required; report required	403 404	2417 2419
Energy from waste–to–energy (formerly Tier 2) and refuse–derived fuel added as Tier 1 renewable sources, and facilities are eligible for inclusion in meeting the renewable energy portfolio only if connected with the electric distribution grid serving Maryland.....	519	3044
Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of, termination date of statutory provisions and regulations extended; evaluation and Board report required	179	846
Net Energy Metering –		
Eligibility extended to customer–generator that uses a closed conduit hydroelectric generating facility.....	47	247
Net excess generation accrual and payment for excess generation, dual meter requirement, and Public Service Commission reporting deadline, provisions altered; monthly payment option for customers of certain electric cooperatives, provisions added.....	405 406	2421 2427
Qualified generator lead line that would allow a certain out–of–state renewable source to interconnect with a portion of the electric system in Maryland owned by an electric company, certificate of public convenience and necessity requirements, provisions added	83 84	484 488
Residential Electricity Rate Relief Program, appropriation for....	395	1839
Small rural electric cooperatives, distribution of funds from a		

	Chapter	Page
rate relief account established under the Maryland Strategic Energy Investment Fund, requirements altered	18	172
	19	175
Solar water heating systems, established as a Tier 1 renewable source and eligible for inclusion in meeting the renewable energy portfolio standard; renewable energy credit provisions added	407	2434
	408	2437
Telephone directories, distribution of print directories by telephone company upon customer request, provisions added; report required on whether notification as to how to request print directory is adequate	530	3142
	531	3144
Washington County –		
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Utilization Review SEE Health Planning and Cost Review		

V

Vaccines SEE Immunization		
Vandalism —		
Property markers, penalty increased for willfully obliterating, damaging, or removing	33	214
	34	215
Vendors SEE Commerce and Business; Transient Merchants		
Venereal Disease SEE Diseases		
Veterans —		
See also Armed Forces		
Behavioral health services for veterans, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Cemetery Program, appropriation to	395	1849
		2106
Charlotte Hall Veterans Home, authority to accept and spend certain gifts and grants, provisions added; reports required	199	891
	200	893
Edward T. Conroy Memorial Scholarship Program, residency requirement for eligibility, provisions altered	209	950
Garrison Forest Veterans Cemetery, appropriation for	395	2106
Maryland Center of Veterans Education and Training, bond funds for	396	2171
Maryland Veterans Commission, membership altered	211	958
Maryland Veterans Memorial Museum, bond funds for	396	2187
Medal of Honor recipient, exemption from paying fee for renewal of motor vehicle registration and driver's license, provisions added	413	2518
	414	2519
Memorials and Monuments Program, appropriation for	395	1850
Military Personnel and Service–Disabled Veteran Loan Program, appropriation for	395	1995

	Chapter	Page
Military service credit for members of the State Retirement and Pension System who performed active military duty prior to membership, eligibility provisions altered	59	275
Morgan Mill Facility, bond funds for	396	2171
Out–of–state and out–of–county tuition rate exemptions for certain individuals who attended and graduated from Maryland high schools, meet certain conditions, and attend a public institution of higher education, provisions added and altered	191	870
Recreational fishing license, exemption for governmental entity or nonprofit organization to take disabled individuals serving or who have served in the armed forces fishing, provisions added; report required	430	2573
Scholarships for veterans of the Afghanistan and Iraq Conflicts, appropriation for	395	1976
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
Veterans Home Program, appropriation for	395	1850
		2023
		2106
Veterans Affairs, Department of —		
Appropriation to	395	1849
		2055
		2071
		2072
		2073
		2076
		2077
		2078
		2080
Charlotte Hall Veterans Home, authority to accept and spend certain gifts and grants, provisions added; reports required	199	891
	200	893
Veterans behavioral health services, coordination, provision, and funding, provisions reenacted	81	476
	82	480
Veterinarians —		
Trimming and maintaining horse hooves by farriers or certain others, excluded from definition of the practice of veterinary medicine	7	145
Veterinary Medical Examiners –		
Fund, transfer of funds to the General Fund	397	2376
State Board of –		
Appropriation to	395	1897
Authority to require submission to mental or physical examination by veterinarian, veterinary practitioner, or applicant for veterinary license and to take certain actions, provisions added	185	856
Veterinary technicians excluded from application of the term "practice of veterinary medicine" when performing procedures under certain circumstances, provisions altered	56	269
Victims —		

	Chapter	Page
Award of temporary possession of a pet of a person eligible for relief or a respondent in an interim or a temporary or final protective order, provisions added	283	1415
	284	1421
Crime victims' rights, court assurance in criminal proceeding that victim is afforded rights provided by law, and judgment of restitution for victim whose right to restitution was improperly denied or not considered, provisions added	362	1708
Criminal Injuries Compensation Board, appropriation to	395	1953
Definition of "abuse" altered for purposes of reporting of abuse in mental health care facilities and facilities for individuals with developmental disabilities	456	2703
	457	2708
Domestic violence or sexual assault victims, termination of victim's future liability under a residential lease, provisions clarified	152	711
Fourth degree sexual offense involving nonconsensual sexual contact if the victim is a minor, statute of limitations increased for prosecution	192	875
	193	878
Homeowner's insurance, discrimination based on information about an individual's status as a victim of a crime of violence, prohibited; payment to innocent coinsured and right of subrogation against perpetrator of crime of violence that led to loss, provisions added	445	2667
	446	2671
Human trafficking victim who is convicted of prostitution, authorization to file motion to vacate judgment if prostitution was part of the victimization, provisions added	218	1016
MARC train service procurement, bidder or offeror requirements with regard to assembling records and disclosing information related to the deportation of victims to extermination camps or death camps during a certain period	482	2789
	483	2800
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Private school policies prohibiting bullying, harassment, and intimidation in nonpublic schools that participate in State–funded education programs, requirements added; educational bullying prevention and staff development programs, development encouraged	486	2870
	487	2875
Protective orders, electronic notification of service of interim or temporary order using electronic system, termination date of provisions extended; approval and provision of electronic system for notification of service of temporary orders, requirements added	103	545
Sexual assault crisis programs and domestic violence programs, transfer from Department of Human Resources to Governor's Office of Crime Control and Prevention, provisions added	356	1685
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual		

	Chapter	Page
harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Video —		
Automated teller machines, video cameras to record image of users, requirements added	609	3558
Film production activity, income tax credit provisions added and reports required; film production rebate provisions repealed	516	3024
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Video Lottery Terminals and Facilities SEE Gaming		
Violence —		
See also Domestic Violence; Harassment		
Peace Orders –		
Extension of term of final order, provisions added	57	272
	58	273
Penalty increased, for second or subsequent offense, for violating an interim, a temporary, or a final peace order	68	382
	69	383
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268
Vital Records —		
Birth certificates, fee increased for copy or change; amount of local health department fee transferred to General Fund, increased	397	2281
Certificate of foreign birth for individual born in a foreign country who was adopted under the laws of a foreign jurisdiction and granted an IH–3 visa, provisions added	463	2723
	464	2725
Vocational Education SEE Education		
Volunteers —		
Family investment program services recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
Grants and loans made by the Maryland State Firemen's Association to volunteer fire, rescue, and ambulance companies for firefighting and rescue equipment or facilities, Military Department required to receive, review, and report information about	158	728
Temporary dental clinic permits and temporary volunteer licenses for dentists and dental hygienists, established; clinical practice requirements for a reciprocal license if dentist or dental hygienist has not passed a regional board examination, provisions added	496	2901
	497	2925
Voter Registration SEE Voting		
Voting —		
Electioneering boundaries at polling places in Carroll and Montgomery counties, provisions altered	344	1633
Help America Vote Act, appropriation for	395	1844
		2019

	Chapter	Page
Voter registration lists, exchange of information to maintain accuracy, provisions added; implementation of fully automated voter registration system at the Motor Vehicle Administration, report required	288	1437
	289	1441
Voter registration online system and use of the Fair Campaign Financing Fund for implementing, provisions added	292	1449
	293	1455
Voting room and voting booth access by minor accompanying a voter at polling place, restriction on age of minor altered	585	3439
Voting Rights SEE Voting		

W

Wages SEE Salaries		
Washington County —		
Alcoholic Beverages –		
Class 7 micro–brewery license, issuance authorized	336	1609
Criminal history records check for new license applicants and license transfers, requirements added	592	3480
Special wine festival (WF) license established	62	278
Board of Elections, membership, filling of vacancies, and compensation, provisions altered	247	1112
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
State Bonds –		
Doleman Black Heritage Museum, previous bond provisions altered	396	2243
Hagerstown Barrack and Garage, previous bond provisions altered	396	2206
Hagerstown Community College Arts and Science Complex, previous bond provisions altered	396	2212
Maryland Correctional Training Center	396	2155
Western Maryland Regional Library	396	2155
Western Maryland Regional Library, previous bond provisions altered	396	2211
Tri–County Council for Western Maryland, membership altered and executive committee established	310	1529
Video teleconferencing system pilot program at local detention centers in certain counties to implement system for local inmate parole hearings, memorandum of understanding and report requirements added	395	1940
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Washington Transit Districts SEE Mass Transit		
Water —		
Acid Mine Drainage Abatement and Treatment Fund, deposit of certain funds granted under the federal Surface Mining		

	Chapter	Page
Control and Reclamation Act of 1977 into, provisions altered.	112	565
Aquaculture, seafood, and related marketing functions and State Aquaculture Coordinator, transferred to the Department of Natural Resources; issuance of water column leases, provisions altered	411	2480
Baltimore City –		
Sale of property solely to enforce a lien for unpaid charges for water and sewer service, restrictions added	510	3007
	511	3008
Chesapeake Bay Water Quality Project Funds, bond funds for nutrient removal at publicly owned sewage treatment works and local share of sewage plant construction costs	396	2161
Clean Water Fund, transfer of funds to the General Fund	397	2378
Commercial dishwashing detergents that contain more than a certain amount of phosphorus, prohibition on use, sale, manufacture, or distribution, provisions altered	447	2675
	448	2676
Conservation of land that drains into a reservoir in the State, consideration when applications for agricultural land preservation easements and allocation of State Program Open Space funds are prioritized, requirements added	146	682
Dam Rehabilitation –		
Appropriation for	395	1889
Bond funds for program	396	2153
Previous bond provisions for program altered	396	2198
Drinking Water Revolving Loan Fund –		
Bond funds for	396	2161
Capital appropriation	395	1998
Fertilizers, content, labeling, sale, application on turf, public education program, certification of professional fertilizer applicators, and reporting of sales, provisions added and altered	484	2810
	485	2840
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226	1049
	227	1050
Infrastructure Improvement Fund in the Maryland Environmental Service, previous bond provisions altered	396	2197
		2201
Large family child care home, definition and other provisions added; definition and other provisions regarding family child care home altered; term "family day care" changed to "family child care"; eligibility for certain child care grants, expanded.	564	3342
Net energy metering eligibility extended to customer–generator that uses a closed conduit hydroelectric generating facility	47	247
St. Mary's County –		
Metropolitan Commission –		
Appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732
Commissioners and employees defined as "local officials" for purposes of the county ethics law	126	617

	Chapter	Page
Solar Hot Water Systems in Prince George's County, Task Force on, reestablished; report required	590	3472
Solar water heating systems, established as a Tier 1 renewable source and eligible for inclusion in meeting the renewable energy portfolio standard; renewable energy credit provisions added	407	2434
	408	2437
Somerset County –		
Sanitary district water and sewer service, late fee for unpaid usage charges, interest accrual on charge that is in default, and payment of late fees in addition to any other charges before reconnection of water service, provisions added	354	1666
Testing requirements for determining whether to restrict or lift restrictions on areas for catching or storing shellfish, provisions added; reconsideration of designation of waters currently restricted from shellfish harvesting, requirements added	149	701
Washington County –		
Water and Sewer Debt Reduction Fund, provisions repealed; debt service for Conococheague Industrial Pretreatment Facility, provisions for source of funding added and use of costs of debt service as factor in setting county water and sewer rates prohibited	458	2713
Water Management Administration, appropriation to	395	1999
		2062
		2131
Water quality monitoring stations in streams that originate outside Maryland, appropriation for	395	1894
Water Quality Revolving Loan Fund –		
Bond funds for water quality improvement projects	396	2160
Capital appropriation	395	1998
Water Supply Financial Assistance Program, bond funds for assistance to State and local government entities	396	2161
Watershed services, appropriation for	395	1894
		2109
Waterway Improvement Capital Program, appropriation for	395	1892
Water Pollution SEE Pollution		
Waterway Improvement Fund —		
Transfer of funds to the General Fund	397	2378
		2379
Weapons —		
See also Guns		
Electronic control devices, compilation, reporting, and analysis of data concerning use of, requirements added	78	466
	79	470
Junior deer hunt, establishment required	120	600
Removal or alteration of identification mark or number on a firearm, misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
School Safety, Task Force to Study the Creation of a Maryland Center for, established; report required	550	3264
	551	3268

	Chapter	Page
Use of firearms in commission of certain crimes and possession by certain ex–offenders, prohibitions expanded and penalties altered; mandatory minimum sentence provisions altered.....	164	741
	165	744
Weeds —		
Carroll County –		
Nuisance abatement, advance notice, appeal of nuisance determination, and weed nuisances, provisions altered.....	602	3532
Plant protection and weed management, appropriation for.....	395	1899
Weights and Measures —		
Appropriation for.....	395	1897
Exceptional hauling permits, provisions expanded to include vehicles carrying any farm product.....	415	2521
Motor vehicle weight and axle load limits, provisions altered.....	100	533
Scale and meter registration fees, maximum fee per business location increased; unspent or unencumbered portion of Weights and Measures Fund at end of the year, required to remain in the fund	589	3469
Welfare —		
See also Social Services		
Assistance payments, appropriation for.....	395	1931
		2035
Family Investment Administration, appropriation to.....	395	1931
		2060
Family Investment Program –		
Appropriation for payments to local jurisdictions	395	1930
Service recipients, assistance and services provided at institutions of higher education, requirements repealed; reporting requirements repealed	21	179
Wetlands —		
Administration, appropriation to.....	395	1837
Whistleblowers SEE Work, Labor and Employment		
Wicomico County —		
Alcoholic beverages, Class 6 pub–brewery license and Class 7 micro–brewery license, eligibility restrictions altered; Class A (liquor store) license holder allowed to hold certain other alcoholic beverages licenses.....	563	3340
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed.....	124	613
State Bonds –		
Deer's Head Hospital Center.....	396	2154
Maryland Food Bank	396	2168
		2182
Salisbury City Park, previous bond provisions altered.....	396	2228
Salisbury University, gymnasium repairs.....	396	2157
Salisbury Zoological Park, Animal Health Clinic.....	396	2192
Salisbury Zoological Park, Animal Health Clinic, previous bond provisions altered	396	2246
		2247
Tri–County Multi–Purpose Center	396	2181
		2192
Wildlife SEE Animals		

	Chapter	Page
Wills SEE Estates and Trusts		
Wine SEE Alcoholic Beverages		
Wiretapping —		
Human trafficking added to list of crimes for which evidence may be gathered during a criminal investigation through interception of oral, wire, or electronic communications and for which a judge may authorize such interception	54	262
	55	266
Witnesses —		
Out of court statement made by a child victim, conditions for admission into evidence in a juvenile court or criminal proceeding, provisions altered	87	498
	88	503
Women —		
Commission for Women, appropriation to	395	1927
Family planning services under the Medical Assistance Program, eligibility requirements altered	537	3180
	538	3184
Juvenile services and programs for females that are substantially equivalent to those offered to males, report required on how existing resources will be used to ensure	290	1444
	291	1447
Minority Business Enterprise Program, participation goals, subgoals, and waivers, provisions altered; termination date extended	252	1145
	253	1157
Park Heights Women and Children Center, bond funds for	396	2172
Small, Minority, and Women–Owned Business Investment Account, appropriation to	395	1994
State mental health facilities, trauma–informed care, making and responding to allegations of sexual abuse or sexual harassment, and separating and securing sleeping quarters by patient gender, requirements and pilot program	248	1115
	249	1125
Veterans Commission, Maryland, membership altered	211	958
Video lottery terminal facilities, weekend operating hours extended; terminals and associated equipment and software exempted from personal property tax; use of Small, Minority, and Women–Owned Businesses Account funds for administrative fees; operation and licensing in Allegany County, provisions altered	240	1083
Worcester County —		
Alcoholic Beverages –		
Berlin, issuance of a Class 7 micro–brewery (on– and off–sale) license to holder of Class D license, provisions added	393	1819
Department of Liquor Control, created; Liquor Control Board abolished; prices for wine and liquor bought from Department by licensee, provisions altered; licensee purchase of wine and liquor from licensed wholesaler, provisions added	304	1499
Junk dealers and scrap metal processors, licensing requirements and regulatory provisions made applicable to all junk dealers and scrap metal processors across the State and inapplicable		

	Chapter	Page
to licensed secondhand precious metal object dealers and pawnbrokers	110	558
School bus inspections, validity in certain counties where vehicle is transferred, provisions added; extension of length of time a school bus may be operated in Somerset, Wicomico, and Worcester counties, termination date repealed	124	613
Slot machine operation by certain nonprofit organizations in certain counties, Worcester County added to list of counties in which authorized; licensing and regulation by Comptroller, provisions added	315	1543
State Bonds –		
Ocean City beach replenishment	396	2153
Work, Labor and Employment —		
Adjutant General required to assist certain military spouses in finding employment upon request, including providing information that explains paths to teacher tenure and certification and that relates to health and business occupations that permit reciprocal licensure	517	3036
	518	3040
Adverse action by employer against employee who makes complaint, brings an action, or testifies in an action under the Maryland Wage and Hour Law, prohibited	494	2895
	495	2898
Agreement between employer and employee for employee to work for less than a certain required wage, established as void	118	592
Baltimore City –		
Police officers, binding arbitration for issues of direct compensation, provisions added	600	3520
Baltimore County –		
Public school employee collective bargaining unit for administrative and supervisory certificated and noncertificated employees, meeting regarding job titles that may be included in unit, requirements added	473	2762
	474	2767
Community college tuition waiver for disabled individuals, provisions altered	576	3400
Correctional officers' bill of rights for local correctional facilities, made applicable to St. Mary's County and definition of "correctional officer" altered	128	628
Credit reports or credit histories of employees and applicants for employment, use by employers for certain purposes, restrictions added	28	196
	29	200
Direct deposit of wages paid to employees of counties and municipal corporations, provisions added	324	1564
Discrimination in the employment of public school employees, provisions conformed to other provisions of State law governing employment discrimination	322	1558
Earned income tax credit, annual publication by Comptroller of income eligibility requirements; Comptroller notice to State employers and employer notice to employees concerning eligibility for State and federal tax credit, provisions added	352	1661
Employers and other payors of payments subject to income tax		

	Chapter	Page
withholding, submission to Comptroller of annual withholding statement in machine–readable or electronic format, provisions altered	161	734
Employment standards, appropriation for	395	1935
Governor's Workforce Investment Board –		
Appropriation to	395	1933
		2117
Study and development of education and training programs for unemployed State residents, including recommendations regarding an individual educational training account pilot program and grants to community colleges, provisions added	359	1697
Health insurance carriers required to follow specified provisions of the federal Patient Protection and Affordable Care Act; Insurance Commissioner authorized to enforce provisions	3	78
	4	108
Health insurance for self–employed individuals and sole proprietors, provisions for exclusion from small group insurance market, termination date extended	104	546
Home care providers, collective bargaining rights for certain independent home care providers, provisions added	171	801
Ignition Interlock System Program, expansion of eligible participants and mandatory participation; program fee, service vendor standards, device requirement warnings, and program requirements, provisions added and altered	556	3295
	557	3315
Industrial Job Creation in Baltimore County, Task Force on, established; reports required	282	1412
Information about the Maryland Medical Assistance Program and Children's Health Program, authority of licensed insurance producers to provide to small employers for distribution to their employees, provisions added	300	1481
	301	1486
Injured Workers' Insurance Fund, employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	132	636
	276	1348
Inmate access to personal information of others through participation in Maryland Correctional Enterprises programs, prohibited	358	1695
Labor Relations Board, State, appropriation to	395	1842
		2018
Landscape architects, educational and experience requirements for applicants seeking to take the licensing examination, provisions altered	212	960
Maryland Automobile Insurance Fund, employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	312	1536
Maryland Communities for a Lifetime Program, established within the Department of Aging to promote aging in place policies and best practices and fund community grants; community certification provisions added; Innovations in		

	Chapter	Page
Aging Services Advisory Council membership altered.....	295	1463
Maryland Health Benefit Exchange established as independent public body to certify and make available qualified health plans and serve as gateway to Medicaid program; Maryland Health Benefit Exchange Fund established; reports required	1	1
	2	40
Messenger service drivers, work that is exempt from unemployment insurance coverage and items that an exempt driver may deliver for a messenger services business, provisions codified and expanded.....	625	3619
Public employee uniforms, safety equipment, and protective accessories, requirements regarding manufacture in the United States, added.....	314	1541
Public School Labor Relations Board, appropriation for	395	2018
Real estate appraisal management companies, registration and regulation by the State Commission of Real Estate Appraisers and Home Inspectors, provisions added; special fund and hearing board established.....	269	1254
	270	1289
State retiree earnings limitation, exemption for those reemployed by Department of Health and Mental Hygiene as a health care practitioner in certain State facilities or a local health department, termination date of long–term exemption repealed	615	3596
State retiree reemployment earnings offset, reduction prohibited from exceeding an amount that would reduce retiree's allowance to less than what is required to pay retiree's monthly medical insurance premiums.....	136	644
State retirees who are reemployed by last employer prior to retirement, number of years of retirement required for eligibility for exemption from earnings offset of retirement allowance, provisions altered	106	550
State Retirement Agency retired employees who are rehired for a certain period, earnings limitation exception, provisions added	397	2386
Tax credits for employers who hire certain qualifying individuals with disabilities, provisions altered and termination date extended	558	3329
Transportation Department employee grievance procedures and appeal process for disciplinary actions, provisions altered.....	617	3599
Walter Sondheim Jr. Public Service Summer Internship Scholarship Program, types of eligible students expanded to include a student who assists in providing legal services in a public service position.....	340	1621
Workers' Compensation Commission decision, venue for filing an appeal with the circuit court, provisions altered.....	256	1179
	257	1180
Workers' compensation death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435	2612
	436	2628
Workforce Development and Adult Learning, Division of,		

	Chapter	Page
appropriation to	395	1937 2060 2119
YouthWorks, appropriation for	395	2120
Workers' Compensation —		
Anne Arundel County –		
Occupational disease presumption for purposes of workers' compensation for a deputy sheriff with heart disease or hypertension resulting in disability or death, provisions added	584	3436
Commission –		
Appropriation to	395	1836 2048 2072 2077 2140
Death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435 436	2612 2628
Retention of jurisdiction pending appeal of workers' compensation order to consider a proposed settlement of a claim, provisions added	45 46	244 246
Control account for workers' compensation coverage debits and Injured Workers' Insurance Fund credits and withdrawals, establishment required; monthly reports required	395	2082
Death benefits paid to surviving dependents when a person dies due to a work–related accident or occupational disease, provisions altered; exemption for county or municipal corporation public safety and emergency personnel employees	435 436	2612 2628
Injured Workers' Insurance Fund –		
Employee compensation specified as not subject to any State law, regulation, or executive order governing State employee compensation; provisions for setting compensation rates altered	132 276	636 1348
Made subject to insurance premium tax	397	2291
Transfer of funds to the General Fund	397	2383
Joint Committee on Workers' Compensation Benefit and Insurance Oversight, membership provisions altered	5	138
Restrictions on use of funds by State agencies and accounting detail, provisions added	395	2064
Subsequent Injury Fund, appropriation to	395	1836 2016 2053 2072 2077
Uninsured Employers' Fund, appropriation to	395	1836 2016

	Chapter	Page
		2053
		2072
		2077
Venue for filing an appeal with the circuit court on a decision by the Workers' Compensation Commission, provisions altered..	256	1179
	257	1180
Wreckers and Scrap Processors —		
Licensing requirements and regulatory provisions for junk dealers and scrap metal processors, made applicable to all junk dealers and scrap metal processors across the State and inapplicable to licensed secondhand precious metal object dealers and pawnbrokers	110	558
Wrongful Death —		
Prelitigation disclosure of documentation of limits of insurance coverage to claimant who files a tort claim concerning a vehicle accident, provisions added	76	457
	77	462

Y

Youth —		
Broad Creek Maryland Boy Scouts of America Ecology Conservation Learning Center, bond funds for	396	2181
Camp Conowingo, bond funds for	396	2186
Capitol Heights Seat Pleasant Boys and Girls Club, bond funds for	396	2179
		2190
Firearm identification mark or number, removal or alteration specified as a misdemeanor and penalty provisions added; possession of ammunition solely designed for a regulated firearm by a person under the age of 21, prohibition repealed	343	1631
Frederick Alliance for Youth – Youth and Community Center, bond funds for	396	2175
		2187
Good Shepherd Center, bond funds for student courtyard renovation	396	2173
Homeless youth facilities, bond funds for	396	2170
In Our House Homeless Youth Center, bond funds for	396	2185
Nonprofit food vendor at youth sporting event or 4–H youth event, sales and use tax exemption for sales of certain food and drink, provisions added	364	1713
Olney Boys and Girls Community Park, bond funds for "Falling Green"	396	2189
Palmer Park Boys and Girls Club, previous bond provisions altered	396	2225
Residential child and youth care practitioner certification, establishment of workgroup to develop plan for implementation, requirements added	219	1025
	220	1029
Salvia divinorum, maximum penalties increased for distribution to individuals under the age of 21	392	1817
Single parent services program establishment in each local department of social services, requirement repealed	144	672
South Bowie Boys and Girls Club concession stand, previous		

	Chapter	Page
bond provisions altered	396	2240
Sports related concussions and head injuries, policies and programs in public schools and youth sports programs regarding, provisions added	548	3251
	549	3257
YouthWorks, appropriation for	395	2120

Z

Zoning and Planning —

Arts and entertainment district tax credits for qualifying residing artists, eligibility criteria expanded to include the creation of an original design in general	298	1480
	299	1480
Baltimore City –		
Administrative adjustments to certain local zoning ordinance requirements, provisions added	444	2664
Calvert County –		
County roads, authority of county commissioners to enact ordinances to regulate grading, constructing, improving, maintaining, repairing, and access to, and to establish standards for utility cuts in and across county rights–of–way, provisions added	371	1745
Hart–Miller–Pleasure Island Citizens Oversight Committee, duties altered	226	1049
	227	1050
Obsolete references to "designated neighborhoods" replaced with references to "sustainable communities"; designated neighborhood removed from consideration as priority funding area in provisions for State funding of projects	145	674
Prince George's County –		
Political contributions to a slate to which a county council member or the county executive belongs by persons with an interest in planning and zoning–related applications to be considered by the District Council, prohibitions and disclosure provisions added	91	513
Site plan approval decisions made by County Planning Board, authority of County Council sitting as District Council to review, appeals of, and delegation of site plan approval authority to a municipal corporation, provisions added	90	511
Program Open Space future annual funding that is apportioned to a local governing body, use for development projects after acreage acquisition goals have been attained, provisions altered	470	2758
St. Mary's County –		
Metropolitan Commission appointment of new positions; appointment of General Counsel; adoption or approval of facilities and capital improvement plans and capital budget; and incorporation of capital improvement plan into county water and sewer plan, provisions altered and added	160	732
Seafood business operation by a person using the person's personal property or real estate, county authority to		

	Chapter	Page
authorize by ordinance, resolution, regulation, or other official action, provisions expanded to include all counties	385	1784