



SYNOPSIS

House Bills and Joint Resolutions
2010 Maryland General Assembly Session

January 27, 2010
Schedule 9

PLEASE NOTE: February 12 – Bill introduction deadline.
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 11.
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

HOUSE BILLS INTRODUCED JANUARY 26, 2010

HB 278 Delegate Hubbard

MARYLAND MEDICAL ASSISTANCE PROGRAM – MEDICAL ELIGIBILITY FOR NURSING FACILITY LEVEL OF CARE

Requiring the Department of Health and Mental Hygiene to determine that specified individuals are medically eligible for specified services under specified circumstances; and requiring the Department to allow an individual to submit specified information under specified circumstances.

EFFECTIVE JULY 1, 2010

HG, § 15-146 - added

Assigned to: Health and Government Operations

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

HB 279 Delegates Robinson and Tarrant**BALTIMORE CITY – PARK HEIGHTS REDEVELOPMENT AREA – ALCOHOLIC BEVERAGES – STORE OPENING HOURS**

Advancing to 9 a.m. the time at which establishments issued specified alcoholic beverages licenses in the Park Heights Redevelopment Area in Baltimore City may begin selling alcoholic beverages.

EFFECTIVE JUNE 1, 2010

Art. 2B, §§ 11-302(j) and 11-303(g) - added and Various Sections - amended

Assigned to: Economic Matters

HB 280 Delegate Robinson, et al**CREATION OF A STATE DEBT – BALTIMORE CITY – GREENMOUNT WEST COMMUNITY RESOURCE CENTER**

Authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of The “New” Greenmount West Community Association for the acquisition, design, construction, repair, and renovation of the Greenmount West Community Resource Center, located in Baltimore City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2010

Assigned to: Appropriations

HB 281 Delegate Pena–Melnyk, et al**COMMISSION ON SURROGATE PARENTING**

Creating the Commission on Surrogate Parenting; providing for the composition, chair, and staffing of the Commission; providing that a member of the Commission may not receive compensation but may be reimbursed for specified expenses; requiring the Commission to study specified issues related to surrogate parenting; requiring the Commission to make specified recommendations, if possible; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly; etc.

EFFECTIVE JULY 1, 2010

Assigned to: Health and Government Operations and Judiciary

HB 282 Delegate Pena–Melnyk**TRANSPORTATION PROJECTS – BICYCLE AND PEDESTRIAN ACCESS – FUNDING AND REPORTING**

Declaring that it is the policy of the State that, in developing the annual Consolidated Transportation Program, the Maryland Department of Transportation shall work to ensure that there is a balance between funding for specified transportation projects for pedestrians and bicycle riders and specified highway construction projects and place increased emphasis on specified transportation projects; requiring the Statewide 20–Year Bicycle–Pedestrian Master Plan to be revised in each year that the Maryland Transportation Plan is revised; etc.

EFFECTIVE OCTOBER 1, 2010

TR, §§ 2-602 and 2-604 - amended

Assigned to: Ways and Means

HB 283 Delegate Waldstreicher, et al**CRIMINAL LAW – SEXUAL SOLICITATION OF A MINOR AND HUMAN TRAFFICKING – PROHIBITIONS AND PROOF**

Prohibiting a person from knowingly engaging in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance the other or a third person would suffer physical restraint or serious physical harm; prohibiting a person from knowingly destroying, concealing, removing, confiscating, or possessing specified documents of another person while violating specified prohibitions; etc.

EFFECTIVE OCTOBER 1, 2010

CR, §§ 3-324, 11-301, and 11-303 - amended

Assigned to: Judiciary

HOUSE BILLS INTRODUCED JANUARY 27, 2010**HB 284 Delegate Smigiel, et al****COUNTY OYSTER COMMITTEES – PUBLIC SHELLFISH FISHERY AREA – POWER DREDGING**

Authorizing specified county oyster committees to authorize the use of power dredges to catch oysters in public shellfish fishery areas under specified circumstances.

EFFECTIVE OCTOBER 1, 2010

NR, § 4-1012 - amended

Assigned to: Environmental Matters

HB 285 Delegate Burns, et al**CRIMINAL PROCEDURE – SEXUAL OFFENDERS – NOTICE TO RESIDENTS**

Requiring the Department of Public Safety and Correctional Services, as soon as possible but not later than 10 working days after receiving a specified registration statement or notice of change of address, to send notice of the registration statement or change of address to each residence located within 1 mile of the residence of the registrant; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2010

CP, § 11-713 - amended

Assigned to: Judiciary

HB 286 Delegate Nathan–Pulliam, et al**CREATION OF A STATE DEBT – BALTIMORE COUNTY – AUTOMOTIVE VOCATIONAL TRAINING CENTER**

Authorizing the creation of a State Debt not to exceed \$145,000, the proceeds to be used as a grant to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the planning, design, construction, and capital equipping of the Automotive Vocational Training Center, located in Baltimore; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2010

Assigned to: Appropriations

HB 287 Delegate Ali, et al**SEXUAL SUPPLEMENT SAFETY ACT**

Prohibiting, except on a valid prescription of a specified authorized prescriber, a person from marketing, selling, offering for sale, or distributing a specified aphrodisiac drug product; providing criminal penalties for a violation of the Act; and defining a certain term.

EFFECTIVE OCTOBER 1, 2010

CR, § 5-711 - added

Assigned to: Judiciary

HB 288 Delegate Smigiel, et al**CRIMINAL PROCEDURE – CHILD SEXUAL OFFENDERS – MONITORING WITH GLOBAL POSITIONING SATELLITE TRACKING TECHNOLOGY**

Requiring that specified child sexual offenders be monitored constantly with global positioning satellite tracking technology during any periods of probation and parole; requiring that specified repeat child sexual offenders be monitored constantly with global positioning satellite tracking technology for life and pay the costs of the monitoring.

Preliminary analysis: local government mandate

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE OCTOBER 1, 2010

CR, § 3-313.1 - added

Assigned to: Judiciary

HB 289 Delegate Smigiel, et al**CORRECTIONAL SERVICES – CHILD SEXUAL OFFENDERS – DIMINUTION CREDITS AND PAROLE**

Prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a specified sexual crime against a minor; and providing that an inmate who is serving a sentence for committing a specified sexual crime against a minor is not eligible for parole consideration and may not be granted parole at any time during the inmate's sentence.

EFFECTIVE OCTOBER 1, 2010

CS, §§ 3-702 and 11-502 - amended and § 7-301(e) - added

Assigned to: Judiciary

HB 290 Delegate Pena–Melnyk, et al**LICENSED PHYSICIANS – TREATMENT OF LYME DISEASE – DISCIPLINE**

Authorizing licensed physicians to prescribe or dispense specified treatment for individuals with Lyme disease if specified requirements are met; altering specified circumstances when the State Board of Physicians may initiate disciplinary actions and professional misconduct proceedings against licensed physicians; providing for the enforcement of the Act; etc.

EFFECTIVE JULY 1, 2010

HO, § 14-508 - added

Assigned to: Health and Government Operations

HB 291 Delegate King**MARYLAND LOCKSMITHS ACT – REVISIONS – DEFINITIONS AND RECORDS INSPECTION**

Altering the definition of “fixed business address” as it relates to the Maryland Locksmiths Act to include business locations outside Maryland where licensees conduct a business and are available at specified times; altering the definition of “local law enforcement unit” to include only in–State police departments and sheriffs that are designated by specified entities based on the address of a licensed locksmith for specified purposes; etc.

EFFECTIVE OCTOBER 1, 2010

BR, §§ 12.5-101 and 12.5-302 - amended

Assigned to: Economic Matters

HB 292 Delegate Morhaim**HEALTH INSURANCE – UNIFORM CONSULTATION REFERRAL FORM – ELECTRONIC TRANSMISSION**

Authorizing a health care provider to transmit the uniform consultation referral form electronically.

EFFECTIVE OCTOBER 1, 2010

IN, § 15-119 - amended

Assigned to: Health and Government Operations

HB 293 Delegate Costa**PHYSICAL THERAPY OFFICES – AUTOMATED EXTERNAL DEFIBRILLATORS – TRAINING**

Prohibiting persons from practicing physical therapy in the State unless there is an automated external defibrillator in the treatment area of physical therapy offices and staff members who have received specified training are on-site; providing an exception to the requirements of the Act; etc.

EFFECTIVE OCTOBER 1, 2010

HO, § 13-405 - added

Assigned to: Health and Government Operations

HB 294 Delegate Nathan–Pulliam, et al**EDUCATION – IMMUNIZATIONS – CHILDREN ENTERING SEVENTH GRADE OR HIGHER**

Requiring the Department of Health and Mental Hygiene’s regulations regarding immunizations to include the requirement that the parent or legal guardian of a child born on or after January 1, 1990, entering the seventh grade or the equivalent in this State or transferring into a school in this State at the seventh grade or higher level on or after September 1, 2010, to have specified immunizations administered to the child.

EFFECTIVE JULY 1, 2010

ED, § 7-403(a)(2) and (3) - amended

Assigned to: Ways and Means

HB 295 Delegate O’Donnell**NATURAL RESOURCES – INCIDENTAL TAKING PERMIT FOR ENDANGERED PURITAN TIGER BEETLE – REQUIREMENTS**

Requiring the Secretary of Natural Resources to issue a permit to an applicant that authorizes an incidental taking of the endangered Puritan Tiger Beetle under specified circumstances; and requiring the Secretary to adopt specified regulations relating to an incidental taking permit for the endangered Puritan Tiger Beetle.

EFFECTIVE OCTOBER 1, 2010

NR, § 10-2A-05.1 - amended

Assigned to: Environmental Matters

HB 296 Delegate Stull, et al

STATE GOVERNMENT – STATE SOIL – SASSAFRAS SOIL

Designating Sassafras sandy loam as the State soil.

EFFECTIVE OCTOBER 1, 2010

SG, § 13-322 - added

Assigned to: Health and Government Operations

HB 297 Delegate Stull, et al

POLICE TRAINING COMMISSION – MEMBERSHIP – INCLUSION OF MARYLAND POLICE TRAINING DIRECTORS ASSOCIATION

Adding the President of the Maryland Police Training Directors Association to the membership of the Police Training Commission.

EFFECTIVE OCTOBER 1, 2010

PS, § 3-203 - amended

Assigned to: Judiciary

HB 298 Delegate Morhaim, et al

OFFICE OF STUDENT FINANCIAL ASSISTANCE – SERVICE OBLIGATION – WAIVER

Requiring the Office of Student Financial Assistance to grant a waiver from the remaining service obligation component of specified scholarships under specified circumstances; and requiring the Office to adopt specified regulations.

EFFECTIVE JULY 1, 2010

ED, § 18-206 - added

Assigned to: Ways and Means

HB 299 Delegate Malone

VEHICLE LAWS – DISTRACTED DRIVING – PROHIBITION

Prohibiting a person from driving a motor vehicle in an inattentive manner resulting in the unsafe operation of the motor vehicle when the inattention is caused by the person engaging in specified preoccupying activities; providing that a violation of the Act is not a moving violation for the purpose of assessing points; authorizing a police officer to enforce the Act only as a secondary offense; etc.

EFFECTIVE OCTOBER 1, 2010

TR, § 21-901.3 - added

Assigned to: Environmental Matters

HB 300 Delegate Krebs, et al**FAIRNESS IN TAXATION FOR RETIREES ACT**

Including income from specified retirement plans within a subtraction modification allowed under the Maryland income tax for retired individuals who are at least 65 years old or who are disabled or whose spouse is disabled; altering the determination of the maximum annual benefit under the Social Security Act for specified purposes; applying the Act to taxable years beginning after December 31, 2009; etc.

EFFECTIVE JULY 1, 2010

TG, § 10-209 - amended

Assigned to: Ways and Means

HB 301 Delegate O'Donnell, et al**CALVERT COUNTY AND ST. MARY'S COUNTY – DEER HUNTING ON PRIVATE PROPERTY – SUNDAYS**

Authorizing a person in Calvert County to hunt deer on private property with a bow and arrow during open season on the last three Sundays in October and the second Sunday in November; and authorizing a person in Calvert County and St. Mary's County to hunt deer on private property on the first Sunday of bow hunting season in November and each Sunday during the deer firearms season.

EFFECTIVE OCTOBER 1, 2010

NR, § 10-410(a) - amended

Assigned to: Environmental Matters

HB 302 Delegate Nathan–Pulliam, et al**STATE BOARD OF NURSING – MEMBERSHIP – NOMINATIONS FOR VACANCIES**

Adding a member to the State Board of Nursing; adding specified degrees that qualify an individual for the nurse administrator member of the Board; authorizing specified professional nursing organizations to submit specified lists from which the Governor can appoint Board members; authorizing specified licensed nurses to submit petitions from which the Governor can appoint Board members; requiring that specified petitions have 25 signatures; etc.

EFFECTIVE OCTOBER 1, 2010

HO, § 8-202(a), (b), and (i) - amended

Assigned to: Health and Government Operations

HB 303 Delegate Smigiel, et al**NATURAL RESOURCES – OYSTER HARVEST – CLOSURE OF STATE WATERS**

Requiring the Department of Natural Resources to keep tidal waters of the State open for oyster harvesting unless the Department makes specified determinations or except as required by law; requiring the Department to manage tidal waters to support, promote, and enhance oyster harvesting opportunities to a specified extent; requiring the Department to manage tidal waters to prevent any net loss of waters available for oyster harvesting or of available oyster harvest authorizations; etc.

EFFECTIVE OCTOBER 1, 2010

NR, § 4-215(h) - amended and § 4-215.5 - added

Assigned to: Environmental Matters

HB 304 Delegate Jones, et al**EDUCATION – MAINTENANCE OF EFFORT REQUIREMENT – PROCESS AND FACTORS**

Altering the date by which a county governing body must make a request to the State Board of Education for a waiver from the maintenance of effort requirement; requiring the State Board of Education to consider specified factors when making a decision whether to grant a waiver; altering the date by which the State Board of Education must inform the county governing body whether the waiver application has been granted or denied; etc.

EMERGENCY BILL

ED, § 5-202(d) - amended

Assigned to: Ways and Means

HB 305 Delegate Davis, et al**INSURANCE – DOMESTIC REINSURERS**

Specifying the assessment fee payable by specified domestic reinsurers to the Maryland Insurance Commissioner; exempting the domestic reinsurers from a requirement to have an office in the State; requiring the domestic reinsurers to keep specified assets in the State; and authorizing the domestic reinsurers to keep their general ledger accounting records outside the State under specified circumstances.

EFFECTIVE JUNE 1, 2010

IN, §§ 2-502 and 4-115 - amended

Assigned to: Economic Matters

HB 306 Delegate Smigiel, et al**CRIMES – DEATH PENALTY – MURDER OF A CHILD DURING A SEXUAL OFFENSE**

Requiring the court or a jury, in determining whether to impose the death penalty in a case in which the defendant is convicted of first degree murder, to first consider whether the victim was a child who was murdered while the defendant was committing or attempting to commit a sexual offense against the child.

EFFECTIVE OCTOBER 1, 2010

CR, § 2-303 - amended

Assigned to: Judiciary

HB 307 Cecil County Delegation**CECIL COUNTY – PUBLIC FACILITIES BOND BILL**

Authorizing and empowering the County Commissioners of Cecil County to borrow not more than \$11,300,000 in order to finance the cost of the construction and improvement of specified public facilities in Cecil County and to effect that borrowing by the issuance and sale at public or private sale of its general obligation bonds; etc.

EFFECTIVE JUNE 1, 2010

Assigned to: Appropriations

HB 308 Delegate Costa**PHYSICAL THERAPIST ASSISTANTS – DIRECT SUPERVISION**

Authorizing physical therapist assistants to practice limited physical therapy only under the direct supervision of licensed physical therapists; defining “direct supervision”; etc.

EFFECTIVE OCTOBER 1, 2010

HO, §§ 13-310 and 13-404 - amended

Assigned to: Health and Government Operations

HB 309 Delegate Sophocleus, et al**CRIMINAL LAW – USE OF FIREARM IN THE COMMISSION OF A CRIME OF VIOLENCE OR A FELONY**

Prohibiting the use of specified firearms in the commission of crimes of violence or felonies; and defining “firearm”.

EFFECTIVE OCTOBER 1, 2010

CR, § 4-204 - amended

Assigned to: Judiciary

HB 310 Delegate Frank, et al**ELECTION LAW – SPECIAL ELECTION TO FILL VACANCY IN THE OFFICE OF UNITED STATES SENATOR**

Altering the process for filling a vacancy in the office of United States Senator; repealing the authority of the Governor to make an appointment to fill a vacancy in the office of United States Senator under specified circumstances; requiring the Governor to issue a proclamation to call for a special election to fill a vacancy in the office of United States Senator under specified circumstances; etc.

EFFECTIVE JULY 1, 2010

EL, § 8-602 - amended

Assigned to: Ways and Means

HB 311 Delegate Sophocleus, et al**HEALTH – DUTY TO REPORT DEATH – REQUIREMENT AND PENALTIES**

Requiring specified individuals who have personal knowledge of the death of another or who have discovered the body of another individual to provide notice within 24 hours after acquiring personal knowledge or discovery of the death to a law enforcement officer, physician, 9–1–1 system, or medical examiner under specified circumstances; providing that the Act does not apply to an individual who reasonably believes that the death has been reported in accordance with the Act; and establishing penalties.

EFFECTIVE OCTOBER 1, 2010

HG, § 5-203 - added

Assigned to: Health and Government Operations

HB 312 Delegate Krebs, et al**MARYLAND DEATH TAXES – FAMILY PROPERTY PROTECTION ACT**

Repealing a limit on the unified credit used for determining the Maryland estate tax; repealing a requirement that the Maryland estate tax shall be in effect even if the federal estate tax is not in effect; repealing a requirement that the Maryland estate tax be determined without regard to a specified deduction allowed under the federal estate tax; and applying the Act to decedents dying after December 31, 2009.

EFFECTIVE JULY 1, 2010

TG, § 7-309(b)(1), (2), and (3) - amended

Assigned to: Ways and Means

HB 313 Delegate Costa**ENVIRONMENT – BAY RESTORATION FUND – AUTHORIZED USES**

Authorizing specified fee revenue collected for the Bay Restoration Fund to be used to pay the cost of connecting properties served by onsite sewage disposal systems to specified existing municipal wastewater facilities under specified circumstances; and establishing specified conditions for the funding of specified costs.

EFFECTIVE OCTOBER 1, 2010

EN, § 9-1605.2(h)(2) and (3) - amended

Assigned to: Environmental Matters

HB 314 Delegate Smigiel, et al**CRIMINAL PROCEDURE – WIRETAPPING – EVIDENCE OF SEXUAL OFFENSE AGAINST OR SEXUAL ABUSE OF A CHILD**

Authorizing a wire, oral, or electronic communication that is intercepted showing evidence of a sexual offense in the first or second degree if the victim is under a specified age or sexual abuse of a minor if the victim is under a specified age to be received in evidence in a criminal proceeding against a defendant being prosecuted for the offense.

EFFECTIVE OCTOBER 1, 2010

CJ, § 10-405 - amended

Assigned to: Judiciary

HB 315 Delegate Sophocleus, et al**CRIMINAL LAW – RECKLESS ENDANGERMENT – USE OF A MOTOR VEHICLE**

Establishing exceptions to an exclusion of conduct involving the use of a motor vehicle from the crime of reckless endangerment.

EFFECTIVE OCTOBER 1, 2010

CR, § 3-204 - amended

Assigned to: Judiciary

HB 316 Delegate Sophocleus, et al**DRUNK AND DRUGGED DRIVING – REFUSAL TO TAKE A BLOOD OR BREATH TEST – PROHIBITION**

Prohibiting a person who is detained for specified alcohol– or drug– related driving offenses from knowingly refusing to take a specified blood or breath test if the person was detained previously for specified alcohol– or drug– related driving offenses and refused to take a blood or breath test; and providing that a violation is punishable by a fine of not more than \$1,000 or imprisonment for not more than 1 year or both.

EFFECTIVE OCTOBER 1, 2010

TR, §§ 21-902.2 and 27-101(dd) - added

Assigned to: Judiciary

HB 317 Delegate Holmes, et al**MARYLAND AUTOMOBILE INSURANCE FUND – ACCEPTANCE OF PREMIUMS ON INSTALLMENT BASIS**

Authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment basis under specified circumstances; requiring the Maryland Insurance Commissioner to ensure specified provisions of the Fund’s installment payment plan; prohibiting the Fund from discriminating among insureds in a specified manner; prohibiting the Fund from paying a higher commission to specified producers; requiring specified written and electronic communications to include a specified statement under specified circumstances; etc.

VARIOUS EFFECTIVE DATES

IN, §§ 20-404, 20-507, 23-304, and 23-505.2 - amended

Assigned to: Economic Matters

HB 318 Delegate Sophocleus, et al**BUSINESS REGULATION – SECONDHAND PRECIOUS METAL OBJECT DEALERS**

Repealing a specified provision authorizing a secondhand precious metal object dealer to transact business for up to 7 days at a specified event; providing that a license can be used only to benefit the licensee; authorizing only licensed dealers to make specified advertisements; requiring a specified advertisement to include the name and license number of the licensee; requiring dealers to retain the original copy of a specified report; authorizing a dealer to request a specified extension of up to 48-hours; etc.

EFFECTIVE OCTOBER 1, 2010

BR, §§ 12-206, 12-207(f), 12-208, 12-301(a), and 12-304(b) - amended and § 12-401(g) - added

Assigned to: Economic Matters

HB 319 Delegate Kullen, et al**STATE BOARD OF NURSING – NURSE PRACTITIONERS – CERTIFICATION REQUIREMENTS AND AUTHORITY TO PRACTICE**

Altering requirements for certification as a nurse practitioner; requiring the State Board of Nursing to waive specified education requirements; authorizing the State Board of Nursing to establish continuing education or competency requirements for the renewal of certificates; repealing specified language; repealing a requirement that the State Board of Physicians approve the scope of practice of specified nurse practitioners; requiring the Department of Health and Mental Hygiene to repeal specified regulations; etc.

EFFECTIVE OCTOBER 1, 2010

HO, §§ 8-101, 8-302, 8-315, and 8-508 and HG, § 19-705.1 - amended

Assigned to: Health and Government Operations

HB 320 Delegate Beitzel**MARYLAND DORMANT MINERAL INTERESTS ACT**

Authorizing a specified owner of real property to maintain an action to terminate a specified mineral interest under specified circumstances; establishing actions that constitute use of a mineral interest; requiring a specified owner to bring a specified action in the circuit court of a specified jurisdiction; authorizing an owner of a mineral interest to record a specified notice of a mineral interest; requiring a court to permit a specified owner to record a late notice under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2010

EN, §§ 15-1201 through 15-1206 - added

Assigned to: Environmental Matters

HB 321 Queen Anne's County Delegation**CREATION OF A STATE DEBT – QUEEN ANNE'S COUNTY – KENNARD HIGH SCHOOL RESTORATION**

Authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Kennard Alumni Association, Inc. for the repair, renovation, reconstruction, or capital equipping of the Kennard High School, located in Centreville; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2010

Assigned to: Appropriations

HB 322 Delegate Reznik, et al**ELECTIVE FRANCHISE – REGISTRATION AND VOTING AT POLLING PLACES**

Authorizing the General Assembly to provide by suitable enactment a process to allow a qualified voter to register and vote on election day at a specified polling place in a specified precinct or on a specified day before election day at a specified polling place; making a stylistic change; and submitting the amendment to the qualified voters of the State of Maryland for their adoption or rejection.

CONTINGENT

CONSTITUTIONAL AMENDMENT

Maryland Constitution, Art. I, §§ 1 and 2 - amended and § 2A - added

Assigned to: Ways and Means

HB 323 Delegates Morhaim and Hammen**HEALTH OCCUPATIONS – LICENSURE OF PHYSICIAN ASSISTANTS**

Requiring individuals to be licensed rather than certified by the State Board of Physicians before individuals may practice as physician assistants; repealing the Physician Assistant Advisory Committee within the State Board; limiting the scope of practice of physician assistants to specified medical acts; repealing the authority of the State Board to review and approve delegation agreements; requiring physicians to file delegation agreements with the State Board in order to supervise physician assistants; etc.

EFFECTIVE OCTOBER 1, 2010

HO, Various Sections - amended, repealed, and added

Assigned to: Health and Government Operations

HB 324 Delegate Kullen, et al**PATIENT REFERRALS – IMAGING AND RADIATION THERAPY SERVICES – ACCREDITATION**

Altering the definition of “in-office ancillary services” as it relates to specified referrals by health care practitioners so as to include magnetic resonance imaging services, computed tomography scan services, and radiation therapy services; altering specified exceptions to patient referral prohibitions; requiring specified health care entities that furnish specified services to receive accreditation from specified organizations by specified dates; etc.

EFFECTIVE JULY 1, 2010

HO, §§ 1-301, 1-302, and 1-303 - amended and § 1-601 - added

Assigned to: Health and Government Operations

HB 325 Delegate Donoghue**STATE BOARD OF PHYSICAL THERAPY EXAMINERS – LICENSURE AND REGULATION**

Authorizing the State Board of Physical Therapy Examiners to send license renewal notices by electronic mail; altering the amount of the maximum penalty from \$5,000 to \$10,000 for any violation of the laws relating to the licensure and regulation of physical therapists and the practice of physical therapy; altering specified definitions; etc.

EFFECTIVE OCTOBER 1, 2010

HO, §§ 13-101, 13-311, and 13-407 - amended

Assigned to: Health and Government Operations

HB 326 Delegate Gaines, et al**CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – COMMUNITY FORKLIFT FACILITY**

Authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Sustainable Community Initiatives, Inc. for the acquisition and repair of the Community Forklift Facility, located in Edmonston; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2010

Assigned to: Appropriations

HB 327 Delegate Carter, et al**ESTATES – DISQUALIFICATION – CONVICTION FOR UNLAWFULLY OBTAINING PROPERTY OF VULNERABLE ADULT OR ELDERLY INDIVIDUAL**

Limiting the extent to which a person convicted of a specified prohibition against unlawfully obtaining property from a specified victim shall be disqualified from inheriting, taking, enjoying, receiving, or otherwise benefiting from the estate, insurance proceeds, or property of the victim; providing that a specified defendant has a specified burden of proof; making a clarifying change; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2010

CR, § 8-801 - amended and ET, § 9-113 - added

Assigned to: Judiciary

HB 328 Delegate Carter, et al**ESTATES AND TRUSTS – GUARDIANSHIP – PAYMENT OF EXPENSES AFTER DEATH OF WARD**

Requiring that, after the death of a minor or disabled person for whom a guardian of the property has been appointed, the guardian of the property of the minor or disabled person pay from the estate all commissions, fees, and expenses shown on the court-approved final guardianship account and retain the balance of the estate for delivery to an appointed personal representative of the decedent or other person entitled to it.

EFFECTIVE OCTOBER 1, 2010

ET, § 13-214(c)(3) - amended

Assigned to: Judiciary

HB 329 Delegate Carter, et al**ESTATES AND TRUSTS – ELECTIVE SHARE – EXTENSION OF TIME FOR MAKING ELECTION**

Authorizing a surviving spouse, within the period provided for making an election to take an elective share of the deceased spouse's estate, to file with the court a petition for an extension of time, with a copy given to the personal representative; and repealing the limitation that the court may only grant such an extension before the expiration of the time in which to make the election.

EFFECTIVE OCTOBER 1, 2010

ET, § 3-206 - amended

Assigned to: Judiciary

HB 330 Delegate Rice, et al**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – IVYMOUNT SCHOOL ANNEX BUILDING**

Authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of the Ivymount School, Inc. for the planning, design, construction, renovation, and capital equipping of the Ivymount School Annex Building, located in Rockville; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2010

Assigned to: Appropriations

HB 331 Delegate Simmons, et al**FAMILY LAW – FINAL PROTECTIVE ORDER – GLOBAL POSITIONING MONITORING SYSTEM**

Authorizing a judge to order a respondent to wear or carry a global positioning monitoring system device as part of a final protective order if the judge finds by clear and convincing evidence that the respondent presents a risk of abuse to the petitioner; requiring the Department of State Police to monitor a respondent ordered to wear or carry a global positioning monitoring system device under the Act; requiring a judge to describe specifically the locations that the respondent has been ordered to remain away from; etc.

EFFECTIVE OCTOBER 1, 2010

FL, § 4-506(d) - amended and § 4-506.2 - added

Assigned to: Judiciary

HB 332 Delegate Simmons

ORPHANS' COURT JUDGES – QUALIFICATIONS

Proposing an amendment to the Maryland Constitution to authorize the legislature to prescribe additional qualifications for Orphans' Court judges in a county or Baltimore City; prohibiting the qualifications from being more stringent than the qualifications required for specified other judges; excepting Montgomery and Harford counties; and submitting the amendment to the qualified voters of the State for their adoption or rejection.

CONSTITUTIONAL AMENDMENT

Maryland Constitution, Art. IV, § 40 - amended

Assigned to: Judiciary

HB 333 Delegates Walker and Oaks

STATE GOVERNMENT – SICKLE CELL ANEMIA AWARENESS MONTH

Requiring the Governor to proclaim annually the month of September to be "Sickle Cell Anemia Awareness Month".

EFFECTIVE JULY 1, 2010

SG, § 13-503 - added

Assigned to: Health and Government Operations

HB 334 Delegates Walker and Ivey

PUBLIC SCHOOLS – PHYSICAL EDUCATION FACILITIES

Requiring the State Department of Education to adopt regulations that require all public school buildings newly constructed or completely renovated and occupied after January 1, 2013, to include a gymnasium and support spaces for physical education instruction and to adopt guidelines for facilities for physical education programs.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2010

ED, § 7-409 - amended

Assigned to: Ways and Means

HB 335 Delegate Walker**STATE BOARD OF EDUCATION – FINANCIAL LITERACY CURRICULUM – GRADUATION REQUIREMENT**

Requiring the State Board of Education to develop curriculum content for a course in financial literacy; requiring county boards of education to implement financial literacy curriculum content in public high schools in the county; requiring students to complete a financial literacy course in order to graduate from high school; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2010

ED, § 7-205.1 - added

Assigned to: Ways and Means

HB 336 Delegates Simmons and Kramer**FAMILY LAW – GROUNDS FOR DIVORCE**

Authorizing a court to grant a limited or an absolute divorce on the ground of voluntary separation if the parties are not engaging in sexual relations under specified circumstances.

EFFECTIVE OCTOBER 1, 2010

FL, §§ 7-102 and 7-103 - amended

Assigned to: Judiciary

HB 337 Delegate Carter, et al**REAL PROPERTY – EFFECT OF DEED GRANTING PROPERTY FROM TRUST OR ESTATE**

Providing that a grant of property by deed from a trust has the same effect as if the grantee had received the property from the trustee; providing that a grant of property by deed from an estate has the same effect as if the grantee had received the property from the personal representative for the estate; providing for the application of the Act; etc.

EFFECTIVE OCTOBER 1, 2010

RP, § 2-122 - amended

Assigned to: Judiciary

HB 338 Delegate Sossi, et al**UPPER SHORE COMMUNITY MENTAL HEALTH CENTER – EARLY RETIREMENT**

Providing specified employees of Upper Shore Community Mental Health Center with the opportunity to receive an early retirement allowance; requiring that these employees file documents on or before December 31, 2010, with the Board of Trustees of the State Retirement and Pension System; requiring that a specified reduction be made to the retirement allowances of these employees of Upper Shore Community Mental Health Center; and providing for the termination of the Act.

EFFECTIVE JULY 1, 2010

Assigned to: Appropriations

HB 339 Caroline County Delegation**CAROLINE COUNTY – ORPHANS’ COURT JUDGES – PENSIONS**

Removing Caroline County from the list of counties that are excepted from the requirement to pay a specified pension to each judge of the Orphans’ Court who has, with specified exceptions, terminated active service, reached 60 years of age, and completed at least two terms of office.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2010

ET, § 2-108(y) - amended

Assigned to: Appropriations

HB 340 Cecil County Delegation**CECIL COUNTY – BOARD OF ELECTRICAL EXAMINERS AND LICENSING OF ELECTRICIANS**

Repealing specified provisions of the Cecil County Code relating to the appointment of the Board of Electrical Examiners, the adoption of rules and bylaws for the Board, the compensation of Board members, the meetings of the Board, the licensing and supervision of electricians by the Board, the reports and fees of the Board, penalties, and the electrical standards.

EFFECTIVE OCTOBER 1, 2010

PLL of Cecil Co., Art. 8, §§ 99-1 through 99-22 - repealed

Assigned to: Economic Matters

HB 341 Delegate Nathan–Pulliam, et alDEPARTMENT OF LEGISLATIVE SERVICES – FISCAL NOTES –
MINORITY HEALTH IMPACT ASSESSMENT

Requiring fiscal notes for specified legislation to include a minority health impact assessment; requiring the minority health impact assessment to include a specified analysis; etc.

EFFECTIVE OCTOBER 1, 2010

SG, § 2-1505(e) - amended

Assigned to: House Rules and Executive Nominations

HB 342 Delegate O’Donnell

PUBLIC OFFICIALS – CHAUFFEURED TRANSPORTATION SERVICES

Providing that public officials may not request the Department of State Police to provide chauffeured transportation services for them for any purpose; providing that public officials may not request the Department to provide an officer or employee of the Department to provide chauffeured transportation services for them for any purpose; providing that public officials may not require employees under their control to provide chauffeured transportation services for them using specified vehicles; specifying exceptions; etc.

EFFECTIVE JULY 1, 2010

SG, § 2-106 - amended and § 8-504 - added

Assigned to: Health and Government Operations

HB 343 Delegate O’DonnellPUBLIC BENEFITS – REQUIREMENT OF PROOF OF LAWFUL
PRESENCE

Requiring that adults provide proof of lawful presence in the United States before receiving public benefits; requiring State units and political subdivisions that provide public benefits to verify the lawful presence of persons in the United States; requiring applicants for public benefits to produce specified types of identification and affidavits; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2010

SG, §§ 10-1301 through 10-1307 - added

Assigned to: Appropriations

HB 344 Delegate Mizeur, et al**MARYLAND OPEN GOVERNMENT ACT**

Requiring that individuals be allowed to sign up on the General Assembly website during a specified time period to present testimony on a bill; requiring specified information about bills to be posted on the General Assembly website; requiring bill hearings to be broadcast on the General Assembly website under specified circumstances; requiring a meeting of the Board of Public Works to be broadcast on the Board's website under specified circumstances; requiring specified broadcasts of Board meetings to be archived; etc.

EFFECTIVE OCTOBER 1, 2010

SG, §§ 2-1506, 2-1506.1, 2-1506.2, and 2-1804 and SF, §§ 10-601 and 10-602 - added and SG, § 15-703(e) - amended

Assigned to: House Rules and Executive Nominations

HB 345 Delegate Hucker**STATE GOVERNMENT – STATE DESIGNATIONS – REVIEW, EVALUATION, AND RECOMMENDATION BY THE STATE ARCHIVIST**

Authorizing the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations upon request, or at the State Archivist's discretion; requiring the State Archivist to review, evaluate, and make recommendations to the General Assembly at the request of the President of the Senate or the Speaker of the House; etc.

EFFECTIVE OCTOBER 1, 2010

SG, § 9-1007 - amended

Assigned to: Health and Government Operations

HB 346 Delegate Hucker**ADVISORY COMMITTEE ON THE NAMING OF STATE FACILITIES, ROADS, AND BRIDGES – REPEAL**

Repealing the Advisory Committee on the Naming of State Facilities, Roads, and Bridges and other related provisions of law.

EFFECTIVE OCTOBER 1, 2010

SG, § 2-10A-09 - repealed

Assigned to: Health and Government Operations

HB 347 Delegate Serafini, et al**CRIMINAL LAW – FORECLOSED RESIDENTIAL PROPERTY – MALICIOUS DESTRUCTION OF PROPERTY AND ACTS OF GRAFFITI**

Prohibiting an owner, former owner, tenant, or occupant of residential property that is in foreclosure proceedings or has been sold in a foreclosure sale from committing acts of graffiti on the residential property or willfully and maliciously destroying, injuring, or defacing the residential property or the fixtures of the residential property; establishing penalties; requiring the court to order a person who violates the Act by an act of graffiti, in addition to other penalties, to pay restitution; etc.

EFFECTIVE OCTOBER 1, 2010

CR, § 6-301.1 and RP, § 7-105.9(g) - added

Assigned to: Judiciary

HB 348 Delegate Pena–Melnyk, et al**PUBLIC INSTITUTIONS OF HIGHER EDUCATION – NEW DESIGN AND SUBSTANTIAL EXTERIOR MODIFICATION – NOTICE AND CONSULTATION**

Requiring public institutions of higher education to make reasonable efforts to provide notice to communities located within 3 miles of a proposed construction site for new structures or for substantial exterior modifications to existing structures on any land owned, leased, or operated, wholly or partly, by the institution; requiring these institutions to make reasonable efforts to consult with these communities under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2010

ED, § 15-113 - added

Assigned to: Appropriations

HB 349 Delegates Carr and Bronrott**MARYLAND EFFICIENCY STANDARDS ACT – TELEVISIONS**

Adding televisions to the list of products regulated under the Maryland Efficiency Standards Act; providing that the Act does not apply to televisions manufactured before a specified date; requiring the Maryland Energy Administration to adopt regulations establishing minimum efficiency standards and compliance test methods for televisions; etc.

EFFECTIVE OCTOBER 1, 2010

SG, § 9-2006(a)(16) through (33), (b), and (e) through (n) - amended and § 9-2006(a)(16), (26) through (28), and (30), (e), and (h) - added

Assigned to: Economic Matters

HB 350 Delegate Hucker, et alEDUCATION – EARLY LEARNING CHALLENGE FUND –
APPLICATION FOR GRANTS

Requiring the State Department of Education to apply for grants from the Early Learning Challenge Fund; requiring the Department to take specified actions before submitting an application; requiring the application to contain specified information; and making the Act subject to a specified contingency.

CONTINGENT

EFFECTIVE JULY 1, 2010

Assigned to: Ways and Means

HB 351 Delegate Carr, et alCHESAPEAKE BAY RESTORATION CONSUMER RETAIL CHOICE
ACT OF 2010

Prohibiting a store from providing disposable carryout bags unless the bags meet specified requirements; requiring a store to charge and collect a fee for each disposable carryout bag the store provides to a customer; requiring the operator of a store to remit a specified amount of money to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; requiring the Department of the Environment to conduct public information and outreach campaigns; authorizing the use of specified funds; providing for a delayed effective date; etc.

EFFECTIVE JANUARY 1, 2011

BR, § 19-103 - added and NR, § 8-2A-02(e) and (f)(1) - amended

Assigned to: Economic Matters and Environmental Matters

HB 352 Delegate Kaiser, et al

EDUCATION – MARYLAND DATA WAREHOUSE COUNCIL

Establishing the Maryland Data Warehouse Council and providing its membership and duties; specifying that the Council is an advisory body only and is prohibited from making final decisions regarding policy; providing for the leadership and staffing of the Council; requiring the Council to hold specified meetings and establish an advisory panel; specifying the Council's goals; requiring the Council annually to submit a specified report to the Governor and to publish a list of written reports that are available from the Council; etc.

EFFECTIVE OCTOBER 1, 2010

ED, §§ 1-301 through 1-309 - added

Assigned to: Ways and Means and Appropriations