



MSBA Bill Report 3A - Access to Justice and Public Interest Law (2024.01.30)

January 30, 2024

Interest Law (2024.01.30)

[MD - HB699 Criminal Law - Hate Crimes - Notice and Removal of Item or Symbol \(Hate Crimes Graffiti Removal Act\)](#)

Last Action: Hearing 2/20 at 1:00 p.m. (January 29, 2024)

Primary Sponsor: Delegate Joe Vogel (D)

Scheduled Hearing:

Environment and Transportation (House)

Date: February 20, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 250, Annapolis, MD

Summary:

Requiring law enforcement agencies to promptly notify owners of personal or real property regarding certain items or symbols being placed or inscribed on the property; requiring certain property owners to remove the items or symbols within 24 hours after the certain item or symbol is reported to a law enforcement agency or the property owner receives a certain notification, subject to certain exceptions; and establishing that a penalty for a violation of this Act may only be imposed on an owner of commercial real or personal property.

Cross-filed Bill: SB650

Statutes Amended:

10-305.1,

10-305.2,

10-306 Article - Criminal Law

[MD - HB706 Drug Paraphernalia for Administration - Decriminalization](#)

Last Action: Hearing 2/13 at 1:00 p.m. (January 30, 2024)

Primary Sponsor: Delegate Jon S. Cardin (D)

Summary:

Repealing the prohibition against a person using or possessing with intent to use, delivering or selling under certain circumstances, or manufacturing or possessing with intent to deliver or sell under certain circumstances drug paraphernalia to inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance; altering a prohibition against a person possessing or distributing controlled paraphernalia under certain circumstances; etc.

[MD - HB707 Public Safety Law Enforcement Use of BodyWorn Cameras](#)

Last Action: Text - First - Public Safety Law Enforcement Use of BodyWorn Cameras (January 26, 2024)

Primary Sponsor: Delegate Gary Simmons (D)

Interest Law (2024.01.30)

Summary:

Altering certain provisions of law to require a certain law enforcement agency to require the use of body-worn cameras, subject to a certain policy, by each sworn law enforcement officer, regardless of rank, employed by the law enforcement agency while the officer is in uniform, in public, and conducting law enforcement related duties.

Cross-filed Bill: SB661

Statutes Amended:

3-511 Article - Public Safety

MD - HB718 Supplemental Nutrition Assistance Program - Seniors - Minimum Benefit

Last Action: Text - First - Supplemental Nutrition Assistance Program - Seniors - Minimum Benefit (January 26, 2024)

Primary Sponsor: Delegate Jeffrie E. Long, Jr. (D)

Summary:

Requiring the State to provide a benefit of at least \$40 under the Supplemental Nutrition Assistance Program to a household that includes an individual who is at least 65 years old and has a gross annual household income that does not exceed \$50,000.

Statutes Amended:

5-501 Article - Human Services

MD - SB590 Human Relations - Discrimination - Protected Characteristics (Equal Opportunity for All Marylanders Act)

Last Action: Text - First - Human Relations - Discrimination - Protected Characteristics (Equal Opportunity for All Marylanders Act) (January 26, 2024)

Primary Sponsor: Senator Clarence K. Lam (D)

Summary:

Altering certain provisions of law prohibiting discrimination based on certain protected characteristics to include prohibitions on discrimination based on sexual orientation, gender identity, race, religious beliefs, marital status, and disability.

Statutes Amended:

10-304,

10-305,

2-207,

3-209 Article - Criminal Law

11-102,

12-113,

12-305,

12-503,
12-603,
12-702,
12-704 Article - Commercial Law
13-219,
19-101,
19-102,
19-103,
19-114,
19-115 Article - State Finance and Procurement
14-5F-10,
19-311 Article - Health Occupations
15-112,
27-910 Article - Insurance
16-204,
16-304 Article - Land Use
16-305 Article - Housing and Community Development
18-204,
7-507 Article - Public Utilities
19-408,
19-710,
19-725 Article - Health - General
23-605,
23-806,
6-104,
7-128 Article - Education
3-304,
3-307 Article - Labor and Employment
5-106,
8-102 Article - Courts and Judicial Proceedings
8-214 Article - Tax - Property
8-707 Article - Human Services
8A-801 Article - Real Property

Interest Law (2024.01.30)

Last Action: Text - First - Criminal Procedure - Automated Expungement, Waiting Periods, and Adverse Actions (Clean Slate Act of 2024) (January 26, 2024)

Primary Sponsor: Senator Mike McKay (R)

Summary:

Altering certain provisions of law relating to waiting periods for the filing of certain petitions for expungement to authorize the filing of a petition a certain amount of time after the completion of the sentence; establishing procedures for the automated expungement of certain clean slate eligible charges; requiring the Department of Public Safety and Correctional Services to submit a report semiannually detailing the progress and outcomes of the automated expungement process during the preceding 6 months; etc.

Cross-filed Bill: HB658

Statutes Amended:

10-105,

10-109,

10-110,

10-113 Article - Criminal Procedure

[MD - SB606 Police Discipline - Order to Show Cause](#)

Last Action: Text - First - Police Discipline - Order to Show Cause (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Summary:

Authorizing a police officer who is denied a certain right to apply to the circuit court at a certain time for an order that directs the law enforcement agency to show cause why the right should not be granted.

Statutes Amended:

3-113.1 Article - Public Safety

[MD - SB607 Public Safety - Police Accountability and Discipline - Summary Punishment](#)

Last Action: Text - First - Public Safety - Police Accountability and Discipline - Summary Punishment (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Summary:

Authorizing the imposition of certain summary punishment of a police officer for a minor violation of law enforcement agency rules and regulations if the facts that constitute the minor violation are not in dispute.

Statutes Amended:

3-106.1 Article - Public Safety

MD - SB608 Public Safety - Police Accountability - Time Limit for Filing Administrative Charges

Last Action: Text - First - Public Safety - Police Accountability - Time Limit for Filing Administrative Charges (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Summary:

Requiring a law enforcement agency to file any administrative charges arising out of an investigation of alleged police officer misconduct that is not required to be reviewed by an administrative charging committee within 1 year and 1 day from the date of the incident that led to the investigation; etc.

Statutes Amended:

3-113 Article - Public Safety

MD - SB610 Crimes Interception of Wire, Oral, or Electronic Communications Exception for Imminent Danger

Last Action: Text - First - Crimes Interception of Wire, Oral, or Electronic Communications Exception for Imminent Danger (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Summary:

Authorizing a person to intercept a wire, oral, or electronic communication if the person has a good faith belief that the person intercepting the communication or another person is in imminent danger of becoming the victim of a crime of violence, stalking, abuse, or a violation of a protective order.

Cross-filed Bill: HB290

Statutes Amended:

10-402 Article - Courts and Judicial Proceedings

MD - SB619 Criminal Law - Cannabis-Related Offenses - Civil Penalties

Last Action: Text - First - Criminal Law - Cannabis-Related Offenses - Civil Penalties (January 26, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Summary:

Substituting civil penalties in place of criminal penalties for certain offenses relating to possessing, possessing with the intent to distribute, and cultivating cannabis and manufacturing cannabis products.

Cross-filed Bill: HB441

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Statutes Amended:

5-101,

5-601,

5-601.1,

5-601.2,

5-602,

5-603,

5-607 Article - Criminal Law

[MD - SB621 County Police Accountability Boards - Investigation of Complaints of Police Misconduct](#)

Last Action: Text - First - County Police Accountability Boards - Investigation of Complaints of Police Misconduct (January 26, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Summary:

Authorizing the local governing body of a county, including Baltimore City, to authorize its police accountability board to exercise investigatory and subpoena powers; and authorizing a police accountability board to conduct an investigation of police misconduct concurrently with a law enforcement agency investigating the complaint.

Cross-filed Bill: HB533

Statutes Amended:

3-102 Article - Public Safety

[MD - SB622 Community Reinvestment and Repair Fund - Funding \(Maryland Reparations Act of 2024\)](#)

Last Action: Hearing 2/14 at 1:00 p.m. (January 29, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Scheduled Hearing:

Budget and Taxation (Senate)

Date: February 14, 2024

Time: 1:00pm (EST)

Location: West Miller Senate Building, Room 3, Annapolis, MD

Summary:

Requiring that a certain amount of revenue from the State individual income tax and Maryland estate tax be distributed to the Community Reinvestment and Repair Fund; altering the rates and rate brackets under the State income tax on certain income of individuals; providing for an additional State individual income tax rate on the net capital gains of individuals; altering a certain limit on the unified

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credit used for determining the Maryland estate tax; increasing the rate of the sales and use tax for cannabis from 9% to 14%; etc.

Statutes Amended:

10-105,

11-104,

2-605.3,

2-801,

7-309 Article - Tax - General

1-322 Article - Alcoholic Beverages and Cannabis

MD - SB623 Prison Education Delivery Reform Commission

Last Action: Text - First - Prison Education Delivery Reform Commission (January 26, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Summary:

Establishing the Prison Education Delivery Reform Commission to develop recommendations relating to education and its impact on the criminal justice system; and requiring the Commission to submit an interim report of its findings and recommendations to the Governor and the General Assembly by June 1, 2025, and a final report by January 1, 2026.

Cross-filed Bill: HB209

MD - SB635 Landlords and Prospective Tenants - Residential Leases - Criminal History Review (Maryland Fair Chance in Housing Act)

Last Action: First Reading Judicial Proceedings (January 29, 2024)

Primary Sponsor: Senator Chris West (R)

Summary:

Altering the number of years of criminal history, from 7 years to 3 years, that are reviewed in a certain reusable tenant screening report; establishing certain prohibitions and limitations on the review and consideration of a prospective tenant's criminal history; and requiring a landlord that denies the lease application of a prospective tenant to provide the individual with a physical document stating with particularity each reason for the denial.

Statutes Amended:

8-218,

8-220 Article - Real Property

MD - SB636 Juvenile Law Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders

Last Action: First Reading Judicial Proceedings (January 29, 2024)

Primary Sponsor: Senator Chris West (R)

Interest Law (2024.01.30)

Summary:

Establishing the Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders; and requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before December 1, 2025.

MD - SB661 Public Safety - Law Enforcement - Use of Body-Worn Cameras

Last Action: First Reading Judicial Proceedings (January 29, 2024)

Primary Sponsor: Senator Charles E. Sydnor, III (D)

Summary:

Altering certain provisions of law to require a certain law enforcement agency to require the use of body-worn cameras, subject to a certain policy, by each sworn law enforcement officer, regardless of rank, employed by the law enforcement agency while the officer is in uniform, in public, and conducting law enforcement related duties.

Cross-filed Bill: HB707

Statutes Amended:

3-511 Article - Public Safety