

# SENATE BILL 811

P5

EMERGENCY BILL

8lr1949

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By: **The President (By Request – Department of Legislative Services)**

Introduced and read first time: February 5, 2018

Assigned to: Rules

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 12, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Annual Curative Bill**

3 FOR the purpose of generally curing previous Acts of the General Assembly with possible  
4 title defects; requiring the Montgomery County Department of Liquor Control to  
5 establish criteria for contracting with retail outlets; requiring the Governing Board  
6 of the Maryland Education Development Collaborative to establish an Advisory  
7 Council, made up of certain persons, to advise in certain matters; providing for the  
8 effect and construction of certain provisions of this Act; making this Act an  
9 emergency measure; and generally repealing and reenacting without amendments  
10 certain Acts of the General Assembly that may be subject to possible title defects in  
11 order to validate those Acts.

12 BY repealing and reenacting, without amendments,  
13 Article – Alcoholic Beverages  
14 Section 25–310(c)(3)  
15 Annotated Code of Maryland  
16 (2016 Volume and 2017 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Business Occupations and Professions  
19 Section 16–5A–04(b)(3)  
20 Annotated Code of Maryland  
21 (2010 Replacement Volume and 2017 Supplement)

22 BY repealing and reenacting, without amendments,

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 Article – Economic Development  
2 Section 1–101(e)  
3 Annotated Code of Maryland  
4 (2008 Volume and 2017 Supplement)
- 5 BY repealing and reenacting, without amendments,  
6 Article – Education  
7 Section 9.8–103(j)  
8 Annotated Code of Maryland  
9 (2014 Replacement Volume and 2017 Supplement)
- 10 BY repealing and reenacting, without amendments,  
11 Article – Environment  
12 Section 9–1605.2(i)(3)  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2017 Supplement)
- 15 BY repealing and reenacting, without amendments,  
16 Article – Health Occupations  
17 Section 8–202(c)  
18 Annotated Code of Maryland  
19 (2014 Replacement Volume and 2017 Supplement)
- 20 BY repealing and reenacting, without amendments,  
21 Article – Public Utilities  
22 Section 7–703(b)(15)  
23 Annotated Code of Maryland  
24 (2010 Replacement Volume and 2017 Supplement)
- 25 BY repealing and reenacting, without amendments,  
26 Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter  
27 396 of the Acts of the General Assembly of 2011, Chapter 424 of the Acts of  
28 the General Assembly of 2013, Chapter 463 of the Acts of the General  
29 Assembly of 2014, and Chapter 22 of the Acts of the General Assembly of 2017  
30 Section 1(3) Item MF05(A)
- 31 BY repealing and reenacting, without amendments,  
32 Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter  
33 495 of the Acts of the General Assembly of 2015 and Chapter 22 of the Acts of  
34 the General Assembly of 2017  
35 Section 1(3) Item ZA00(J)
- 36 BY repealing and reenacting, without amendments,  
37 Chapter 27 of the Acts of the General Assembly of 2016, as amended by Chapter 22  
38 of the Acts of the General Assembly of 2017  
39 Section 1(3) Item ZA00(AU)

1 BY repealing and reenacting, without amendments,  
2 Chapter 315 of the Acts of the General Assembly of 2017  
3 Section 1

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

6 **Article – Alcoholic Beverages**

7 25–310.

8 (c) (3) The Department shall establish criteria for contracting with retail  
9 outlets.

10 DRAFTER’S NOTE:

11 Error: Purpose paragraph of bill being cured failed to accurately describe the changes  
12 made by the bill.

13 Occurred: Chapter 442 (House Bill 315) of the Acts of 2017.

14 **Article – Business Occupations and Professions**

15 16–5A–04.

16 (b) (3) If an electronic transmission under paragraph (2) of this subsection is  
17 returned to the Commission as undeliverable, the Commission shall mail to the licensee,  
18 at the last known address of the licensee, the materials required under paragraph (2) of  
19 this subsection within 10 business days of the date the Commission received the notice that  
20 the electronic transmission was undeliverable.

21 DRAFTER’S NOTE:

22 Error: Function paragraphs of bills being cured incorrectly indicated that §  
23 16–15A–04(b)(3), rather than § 16–5A–04(b)(3), of the Business Occupations and  
24 Professions Article was being added.

25 Occurred: Chapters 246 and 247 (Senate Bill 6/House Bill 138) of the Acts of 2017.

26 **Article – Economic Development**

27 1–101.

28 (e) (1) “Qualified distressed county” means a county with:

29 (i) an average rate of unemployment for the most recent 24–month  
30 period for which data are available that exceeds 150% of the average rate of unemployment

1 for the State during that period;

2 (ii) an average rate of unemployment for the most recent 24-month  
3 period for which data are available that exceeds the average rate of unemployment in the  
4 State by at least 2 percentage points; or

5 (iii) an average per capita personal income for the most recent  
6 24-month period for which data are available that is equal to or less than 67% of the  
7 average per capita personal income for the State during that period.

8 (2) “Qualified distressed county” includes a county that:

9 (i) no longer meets either criterion stated in paragraph (1) of this  
10 subsection; but

11 (ii) has met at least one of the criteria at some time during the  
12 preceding 24-month period.

13 DRAFTER’S NOTE:

14 Error: Function paragraph of bill being cured failed to indicate that § 1–101(e) of the  
15 Economic Development Article was being amended.

16 Occurred: Chapter 149 (Senate Bill 317) of the Acts of 2017.

17 **Article – Education**

18 9.8–103.

19 (j) (1) The Governing Board shall establish an Advisory Council to provide  
20 advice on matters relating to 21st-century learning, data collection and sharing, and any  
21 other issues related to the Collaborative’s work.

22 (2) The Advisory Council shall be made up of educators and  
23 representatives of the business community, nonprofit organizations, and other  
24 stakeholders with whom the Collaborative works.

25 DRAFTER’S NOTE:

26 Error: Purpose paragraph of bill being cured failed to accurately describe the changes  
27 made by the bill.

28 Occurred: Chapter 849 (Senate Bill 908) of the Acts of 2017.

29 **Article – Environment**

30 9–1605.2.

1 (i) (3) The nitrogen, phosphorus, and sediment load reductions purchased  
2 under paragraph (2)(xiii) of this subsection:

3 (i) Cannot be from the agricultural sector; and

4 (ii) Must be created on or after July 1, 2017.

5 DRAFTER'S NOTE:

6 Error: Function paragraphs of bills being cured failed to indicate that § 9–1605.2(i)(3)  
7 of the Environment Article was being added.

8 Occurred: Chapters 366 and 367 (House Bill 417/Senate Bill 314) of the Acts of 2017.

9 **Article – Health Occupations**

10 8–202.

11 (c) Each member of the Board shall be:

12 (1) A citizen of the United States; and

13 (2) A resident of this State.

14 DRAFTER'S NOTE:

15 Error: Function paragraphs of bills being cured incorrectly indicated that § 8–202(c)  
16 of the Health Occupations Article was being amended.

17 Occurred: Chapters 515 and 516 (House Bill 482/Senate Bill 385) of the Acts of 2017.

18 **Article – Public Utilities**

19 7–703.

20 (b) The renewable energy portfolio standard shall be as follows:

21 (15) in 2020 and later, 25% from Tier 1 renewable sources, including:

22 (i) at least 2.5% derived from solar energy; and

23 (ii) an amount set by the Commission under § 7–704.2(a) of this  
24 subtitle, not to exceed 2.5%, derived from offshore wind energy.

25 DRAFTER'S NOTE:

Error: Function paragraphs of bills being cured incorrectly indicated that § 7-703(b)(16) and (17) of the Public Utilities Article were being amended, rather than repealed.

Occurred: Chapters 1 and 2 (House Bill 1106 of 2016/Senate Bill 921 of 2016) of the Acts of 2017.

**Chapter 336 of the Acts of 2008, as amended by Chapter 396 of the Acts of 2011, Chapter 424 of the Acts of 2013, Chapter 463 of the Acts of 2014, and Chapter 22 of the Acts of 2017**

Section 1(3)

**MF05 OFFICE OF THE CHIEF MEDICAL EXAMINER (Baltimore City)**

(A) New Forensic Medical Center. Provide funds to construct the new Forensic Medical Center ..... 43,467,184

**DRAFTER’S NOTE:**

Error: Function paragraph of bill being cured incorrectly indicated that Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the General Assembly of 2011, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014, Section 1(3) MF05(A), rather than Section 1(3) Item MF05(A), was being amended.

Occurred: Chapter 22 (House Bill 151) of the Acts of 2017.

**Chapter 463 of the Acts of 2014, as amended by Chapter 495 of the Acts of 2015 and Chapter 22 of the Acts of 2017**

Section 1(3)

**ZA00 MISCELLANEOUS GRANT PROGRAMS**

(J) Green Branch Athletic Complex. Provide a grant to the Board of Directors of the Green Branch Management Group Corp. for the acquisition, planning, design, site development, construction, repair, renovation, reconstruction, and capital equipping of the Green Branch Athletic Complex, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project ..... 3,000,000

**DRAFTER’S NOTE:**

1 Error: Function paragraph of bill being cured incorrectly indicated that Chapter 463  
2 of the Acts of the General Assembly of 2014, as amended by Chapter 495 of the Acts of the  
3 General Assembly of 2015, Section 1(3) ZA00(J), rather than Section 1(3) Item ZA00(J), was  
4 being amended.

5 Occurred: Chapter 22 (House Bill 151) of the Acts of 2017.

6 **Chapter 27 of the Acts of 2016, as amended by Chapter 22 of the Acts of 2017**

7 Section 1(3)

8 ZA00 MISCELLANEOUS GRANT PROGRAMS

9 (AU) Rosewood Property Environmental Abatement. Provide a grant  
10 to the Board of Trustees of Stevenson University to design and  
11 construct the environmental abatement and demolition of  
12 buildings on the Rosewood property, including any appropriate  
13 site surveys and investigation (Baltimore County) ..... 700,000

14 DRAFTER’S NOTE:

15 Error: Function paragraph of bill being cured incorrectly indicated that Section 1(3)  
16 Item ZA01(AU), rather than Section 1(3) Item ZA00(AU), was being added to Chapter 27  
17 of the Acts of the General Assembly of 2016.

18 Occurred: Chapter 22 (House Bill 151) of the Acts of 2017.

19 **Chapter 315 of the Acts of 2017**

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
21 That Section(s) 1–101(p) through (dd), 13–801 through 13–804, 15–801 through 15–805,  
22 16–801 through 16–804, 17–801 through 17–804, 19–801 through 19–804, 20–801 through  
23 20–804, 21–801 through 21–805, 22–801 through 22–807, 22–807.1, and 22–808, 24–801  
24 through 24–804, 25–801 through 25–805, 27–801 through 27–804, 28–801 through 28–804,  
25 29–801 through 29–804, 30–801 through 30–804, 32–801 through 32–804, and 33–801  
26 through 33–804, respectively, of Article – Alcoholic Beverages of the Annotated Code of  
27 Maryland be renumbered to be Section(s) 1–101(q) through (ee), 13–802 through 13–805,  
28 15–802 through 15–806, 16–802 through 16–805, 17–802 through 17–805, 19–802 through  
29 19–805, 20–802 through 20–805, 21–802 through 21–806, 22–802 through 22–810, 24–802  
30 through 24–805, 25–802 through 25–806, 27–802 through 27–805, 28–802 through 28–805,  
31 29–802 through 29–805, 30–802 through 30–805, 32–802 through 32–805, and 33–802  
32 through 33–805, respectively.

33 DRAFTER’S NOTE:

34 Error: Function paragraph of bill being cured incorrectly indicated that §§ 24–801  
35 through 25–801 through 25–804, rather than §§ 24–801 through 24–804 and §§ 25–801

1 through 25–804, of the Alcoholic Beverages Article were being renumbered.

2 Occurred: Chapter 315 (House Bill 252) of the Acts of 2017.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter’s Notes contained  
4 in this Act are not law and may not be considered to have been enacted as part of this Act.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
6 measure, is necessary for the immediate preservation of the public health or safety, has  
7 been passed by a yea and nay vote supported by three–fifths of all the members elected to  
8 each of the two Houses of the General Assembly, and shall take effect from the date it is  
9 enacted.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.