

## MONTGOMERY COUNTY OFFICE OF INTERGOVERNMENTAL RELATIONS GENERAL ASSEMBLY 2022 END OF SESSION SUMMARY

### Overview

In the fourth year of a legislative term, with the 2022 primary and general elections on the near horizon, it was clear when the 444<sup>th</sup> Maryland General Assembly session began on January 12, 2022 that this would be an unusual year.

Due to the ongoing COVID-19 pandemic, which had once again intensified with the onset of winter weather, the General Assembly started session for the second year in a row with special protocols to manage health and safety measures, including virtual hearings and voting sessions that were streamed live and public input accommodated via remote access. Although the Senate returned to in-person committee proceedings one month into session, the House continued virtually with most committee proceedings through *sine die*.

As session began, the General Assembly faced the enviable yet daunting task of deciding how to best allocate a massive budget surplus of roughly \$6 billion that had accumulated primarily because of an influx of federal stimulus funding relating to the pandemic. The budget surplus was elevated to about \$7.5 billion two months into session based on new revenue estimates; an eye-popping figure that was quickly seized on by leaders in both parties to bolster tax cut and spending proposals. John F. Kennedy was quoted as saying, “The time to repair the roof is when the sun is shining.” That is exactly what the General Assembly did this year by using the largest budget surplus in State history to address systemic underfunding of key priorities and provide tax relief to many Marylanders.

The session was also unusually active regarding the consideration of major policy issues, reflecting a desire to address unfinished business in anticipation of a competitive State election cycle. Leadership in the General Assembly was also motivated to move expeditiously in considering priority issues because the Maryland Constitution provides that any legislation vetoed by a Governor in the fourth year of a term cannot be overridden by the new legislature that comes into office the following year. This reality incentivized the General Assembly to pass dozens of bills before the 83<sup>rd</sup> day of session in order to take advantage of the requirement that the Governor return bills passed by that date to the General Assembly in time to override before *sine die*. The Governor vetoed ten bills relating to prevailing wage, abortion care, protection of local health officers, transportation investment, restrictions on firearms, juvenile justice, and collective bargaining that were then overridden by the General Assembly and allowed a major bill relating to climate change to become law without his signature.

All of this happened in the midst of legal battles relating to the drawing of new congressional and State legislative district maps, which was required to be done this year, following completion of the 2020 decennial census. A new congressional map was adopted during a special session in December 2021 but was then appealed by Republicans and determined on March 25, 2022 by Judge Lynn Battaglia of the Circuit Court of Anne Arundel County to be unconstitutional because it reflected “extreme partisan gerrymandering.” This marked the first time in State history that a judge had found a congressional map to violate the

Maryland Constitution. Although the Attorney General initially appealed the ruling, the appeal was dropped after the General Assembly moved forward in drawing a second map that was eventually signed by the Governor. Although the State legislative district map that was drawn by the General Assembly was appealed by Republicans, Maryland's highest court issued an order two days after *sine die* that affirmed the findings of a special magistrate who heard the case and rejected the challenge.

Overall, despite philosophical differences, members of the legislature worked across the aisle to advance the public good. The Montgomery County Delegation stood at the forefront, taking on key leadership roles in numerous fiscal and policy matters that will benefit State residents and businesses in the near term and for decades to come.

## **Budget**

This was a year like no other for the [State budget](#). While the General Assembly has had a lot of experience with reducing budgets in lean years, it faced a unique challenge this year – how best to allocate an accumulated State budget surplus that was unprecedented in modern times and, in fact, was increased after the legislature had convened and revenues were revised upward yet again. The legislative leadership settled on a strategy that will increase the State's reserve funds to protect against a future economic downturn, create capacity for targeted tax relief, invest heavily in capital priorities in every corner of the State, cover the estimated shortfall to fund the State's share of the *Blueprint for Maryland's Future*, fund programs to assist vulnerable populations and support child care providers still recovering from the economic impacts of the pandemic, and make significant additional investments in crime prevention and cybersecurity.

On the local front, under the leadership of the Montgomery County Delegation chairs Senator Ben Kramer and Delegate Marc Korman, the efforts of the 32-member delegation resulted in \$287 million of new State capital investments that will be directed to projects located within the County. This is in addition to the \$1.2 billion in State aid to support Montgomery County Public Schools, the County's libraries, and its public safety efforts.

Highlights of State infrastructure investments in Montgomery County:

- \$120 million for transportation, including funding for the County's new bus rapid transit system (BRT), zero emissions buses, the Bethesda South Metro Station entrance and a new north entrance at the White Flint Metro Station. Funding also was provided for a new bike trail and pedestrian investments. An amendment to legislation supporting new investments in sports facilities around the State will result in a multi-year commitment of State funding to support the continued development of the County's BRT system.
- \$59 million for public K-16 education, which includes several major Montgomery College projects and funding for Montgomery County Public Schools (which does not reflect any allocations from the \$420 million in "Built to Learn" funds earmarked for County schools).
- \$35 million for parks and playgrounds.

- \$30 million to support capital investment in other community projects within the County's borders.
- \$20 million for health facilities, including full funding of the County's new Restoration Center that will provide behavior health services for those in crisis.
- \$16 million for the White Flint redevelopment project that will help support a national epicenter of computationally enabled life sciences research.

### **Broadband Accessibility and Affordability**

Among the most significant lessons learned from the impact of the pandemic on families and individuals throughout the nation is the urgent need to take aggressive action to address the inequity that exists between households that have access to reliable broadband (high-speed) Internet service and the devices and knowledge that allow them to use Internet resources and those that do not. Last year, the General Assembly responded to these painful lessons by passing *Department of Housing and Community Development - Office of Statewide Broadband - Established (Digital Connectivity Act of 2021)* ([SB 66/](#)[HB 97](#)), which imposed major responsibilities on the State and on local governments to address the digital divide and ensure that every resident has access to reliable, high-quality, broadband Internet service at an affordable price and the devices and training necessary to use Internet resources. The General Assembly required that the State coordinate with and support local governments in these efforts and allocated approximately \$300 million of federal COVID-19 relief funds to support statewide goals in fiscal 2022 through fiscal 2024. This year, the General Assembly maintained its commitment to helping local governments implement the vision and framework established last year by allocated \$171 million in federal funds to the Local Government Infrastructure Fund to support further progress at the local level.

### **Cybersecurity**

The General Assembly spent a significant amount of time this year on a complex package of bills relating to cybersecurity that was ultimately passed in the waning hours of session. The package will enhance Montgomery County's ability to address cybersecurity threats by facilitating constructive coordination between State and local governments and significantly increasing State funding for cybersecurity programs, including \$210 million in the fiscal 2023 State budget to be used for efforts at both the State and local levels.

*Local Government Cybersecurity - Coordination and Operations (Local Cybersecurity Support Act of 2022)* ([HB1202/](#)[SB754](#)) establishes the Cybersecurity Preparedness Unit under the Maryland Department of Emergency Management to assist local governments in preparing for and responding to security hacks and other incidents. The bill requires local governments to report cybersecurity incidents to the local emergency manager, security operations center in the Maryland Department of Information Technology (DoIT), and Maryland Joint Operations Center.

*State Government - Information Technology and Cybersecurity-Related Infrastructure (Modernize Maryland Act of 2022) (HB 1205)* establishes a Statewide Reporting Framework and Oversight Commission in DoIT to ensure the confidentiality, integrity, and availability of information held by the State concerning residents and to identify necessary technology and cybersecurity investments and upgrades. It also establishes the Local Cybersecurity Support Fund to provide financial assistance to local governments to improve cybersecurity preparedness.

*State Government - Cybersecurity - Coordination and Governance (HB 1346/SB 812)* centralizes State cybersecurity operations in the Office of Security Management within DoIT and establishes the Cybersecurity Coordination and Operations Unit in DoIT to coordinate efforts and services to improve local, regional, and Statewide cybersecurity readiness.

## **Economic Development**

A number of important measures passed during the 2022 session that will reinforce Montgomery County's reputation for being a great place for business development. Four years after legislation passed tailoring the State's Business Improvement District (BID) statute so that the business development tool could be used in Montgomery County, the first BID was established in Silver Spring. However, after receiving input from business owners located in the newly created BID, legislators from District 20 successfully pursued legislation, *Montgomery County - Economic Development - Business Improvement -Districts MC 08-22 (HB 1340)*, to modify the law again to allow for greater participation by Montgomery County commercial tenants in the governance process and more flexibility in structuring BIDs. The bill reflects the belief that a "one size fits all" approach does not uniformly meet the needs of businesses across the County, particularly those located along the District of Columbia border.

*Economic Development - Maryland Makerspace Initiative Program (SB 453)* is another piece of forward-thinking legislation that will formalize the structure of a Statewide Makerspace Program within the Maryland Technology Development Corporation. The legislation mandates a minimum level of funding for the program for the next few years, which will allow for the growth of new Makerspace programs around the State. The County is particularly interested in this program since it is aware of several innovative proposals that would be perfect candidates. The White Flint Redevelopment project also received a jump start this session with an initial State investment of \$16 million to support capital improvements at the site. An additional \$4.5 million was approved to build a north entrance at the White Flint Metro Station. The project is envisioned as a transformative partnership between the State, Montgomery County, and the University of Maryland to establish White Flint as a national epicenter of computationally enabled life sciences research.

## **Education**

### ***Elementary and Secondary***

A longstanding key County priority has always been maximizing State support for its public school construction program. With the enactment of the *Built to Learn Act* in 2021, Montgomery County believed it was finally in a position to make real progress on its backlog of

school construction needs. However, given the match requirements of the school construction program and the low level of State financial participation in the County's school construction projects, accessing all of the State funds that are available to the County has proved to be a challenge. *Education - Public School Construction - Funding and Administration* ([HB 1290](#)), which passed this session, should result in greater State investment in County school construction projects, which in turn should free up local funds to help satisfy match requirements. The legislation reflects the statutory changes to the State school construction program that were recommended by the Maryland General Assembly's Workgroup on the Assessment and Funding of School Facilities. Through various means, the changes allow counties to secure State participation at rates higher than the basic formulas provide by revising a number of factors that dictate eligibility for State reimbursement. Overall, the legislation should help alleviate some of the problems the County has been facing. Note that these changes will not be fully reflected in the State support for school construction that the County will receive in fiscal 2023. Currently, that number is about \$45 million, which does not include any allocation yet of the \$420 million of *Built to Learn* funds earmarked for Montgomery County public school construction projects.

The General Assembly reasserted its commitment to the Blueprint for Maryland's Future by fully funding all components of the plan in fiscal 2023 and setting aside \$800 million to fully fund the plan in future years. The General Assembly also passed legislation, *Blueprint for Maryland's Future - Implementation Plans and Funds - Alterations* ([HB 1450](#)), to adjust the Blueprint's implementation timeline to better align with the formation of the Accountability and Implementation Board (AIB). The date by which the AIB must adopt a Statewide Comprehensive Implementation Plan was delayed from February 15, 2022 to December 1, 2022. The date by which the Maryland State Department of Education must develop criteria to be used to recommend approval or disapproval of implementation plans developed by local school systems was delayed from April 1, 2022 to September 1, 2022. The date by which State and local units of government must develop and submit implementation plans to the AIB was delayed from June 15, 2022 to March 15, 2023.

Leadership from members of the Montgomery County Delegation contributed significantly to the success of a variety of other education related bills, including: *Educational Support Professionals - Bonus and Report* ([HB 1349/SB 831](#)), which provides bonuses of \$500 in fiscal 2023 and \$1,000 in fiscal 2024 to Educational Support Professionals in our public schools (i.e., paraeducators, bus operators, office staff, building services workers, food service workers, media assistants, warehouse workers, security officers) and creates a task force to study and make recommendations for appropriate wages in the long run (the State budget includes \$8 million to fund the bonuses in fiscal 2023); *Primary and Secondary Education - Virtual Education - Requirements* ([HB 1163/SB 362](#)), which establishes new rules governing virtual schools, including requirements regarding the allowable number of schools, school accountability, student eligibility, services and curriculum, teacher qualifications, and oversight; *Local School Systems - Equivalent Access Standards - Digital Tools (Equivalent and Nonvisual Access Accountability Act for K-12 Education)* ([SB 617](#)), which requires schools to provide students with disabilities with access to digital tools that enable the students to acquire the same

information, participate in the same interactions, and access the same services as students without disabilities; and *Education - Physical Restraint and Seclusion - Limitations, Reporting, and Training* ([HB 1255/SB 705](#)), which prohibits schools (public or private) and public agencies from using physical restraint on a student as a behavioral intervention unless physical restraint is necessary to protect the student or another individual from imminent serious physical harm and other, less intrusive, nonphysical interventions have failed or been demonstrated to be inappropriate for the student.

### ***Higher Education***

The State made important investments in the County's higher education facilities. Through the State budget and the passage of *Universities at Shady Grove Regional Higher Education Center - Workforce Development Programs Funding* ([HB 1446](#)), the Universities at Shady Grove Regional Higher Education Center received a three-year commitment of \$5 million each year for strategic planning and to establish or support workforce training programs. In addition, the State will be making capital investments in Montgomery College, committing \$6.8 million to help complete the Catherine and Isiah Leggett Math and Science Building at the Takoma Park Silver Spring campus. A new library at the same campus will also benefit from a two-year State investment of \$5 million. Also, the State capital budget includes \$2 million that will be available in fiscal 2024 to create a Montgomery College presence in the East County.

Importantly, the General Assembly continued to expand financial assistance for higher education programs by passing *Higher Education - Student Financial Assistance - Alterations and Appropriation (Maryland Student Investment Act)* ([HB 734](#)), which broadens eligibility criteria for several financial aid programs for low-income students and significantly increases funding in future years. The bill establishes fiscal 2024 mandatory appropriations for these programs that total \$120.5 million.

### ***Libraries and Literacy***

*Education - Regional Resource Centers and Libraries – Funding* ([HB 685/SB 448](#)) increases per capita State funding for public libraries and regional resource centers in each of the next five fiscal years. *Young Readers Programs - Establishment (Young Readers Program Expansion Act)* ([HB 383/SB 438](#)) creates a Young Readers Matching Grant Program that will help Montgomery County and other jurisdictions around the State fund programs that support the learning and growth of young readers by providing free, high-quality literature and resources to young children regardless of a family's income status.

### **Early Care and Education**

Recognizing that a stable child care system benefits families, children, child care providers, and broader economic recovery from the COVID-19 pandemic, the General Assembly created and funded three programs directed at providing support directly to the child care sector.

*State Department of Education - Child Care Stabilization Grants (Emergency Bill)* [HB 89/SB 480](#) requires the Maryland State Department of Education (MSDE) to make \$50 million in grants in fiscal 2022 and fiscal 2023 to child care providers that have faced financial hardship or suffered an operational burden during the pandemic. The grants are to be awarded according to the following priorities: (1) providers that have a demonstrated financial hardship that poses significant risk of the provider's business closing within the next 12 months; (2) providers that have not received a stabilization grant in a prior application cycle; (3) providers that participate in the Child Care Scholarship Program; (4) providers located in areas designated by MSDE as lacking child care slots; (5) providers that serve primarily low-income populations in areas of high poverty; (6) providers that serve children with special needs; and (7) providers that serve children two years old and under.

*Child Care Capital Support Revolving Loan Fund - Established* ([HB 993](#)) establishes a Child Care Capital Support Revolving Loan Fund to be used to provide no-interest loans for capital expenses to child care providers who participate in the Child Care Scholarship Program. The Revolving Loan Fund is funded with a \$15 million appropriation in the fiscal 2023 State budget and that bill creates a \$10 million mandatory appropriation for the fiscal 2024 budget. The loans are to be awarded to child care providers according to the following priorities: (1) providers that are located in underserved communities; (2) providers that are located in areas designated by MSDE as areas lacking child care slots; (3) providers that are located in rural communities, as defined in State law; (4) providers that serve primarily low-income populations in areas of high poverty; (5) providers that serve children with special needs; and (6) providers that serve children ages two and under.

*Child Care Providers and Employees - Bonuses* ([HB 1100](#)) establishes rules for the allocation of \$16 million for child care provider and employee bonuses in fiscal 2023. MSDE is required to use \$10 million to award a \$1,000 retention bonus to: (1) each individual who, on June 30, 2022, is employed to work at least 20 hours per week by a child care provider; (2) each individual who holds a credential through the Maryland Child Care Credential Program on June 30, 2022; and (3) each individual who earns a credential through the Maryland Child Care Credential Program during fiscal 2023. The bill directs MSDE to use \$4 million to award new-hire bonuses of up to \$1,000. A bonus of \$500 will be awarded to each individual who, during fiscal 2023, begins employment for at least 20 hours per week as a child care provider or with a child care provider that participates in the Child Care Scholarship Program, remains employed for at least three months, and commits to remaining employed for at least six months. An additional \$500 will be awarded to each individual who receives a new hire bonus, earns a credential through the Maryland Child Care Credential Program in fiscal 2023, and continues to be employed as or by a child care provider for at least 20 hours per week. MSDE is also required to use \$2 million to award a \$500 hiring assistance bonus to a child care provider that participates in the Child Care Scholarship Program for each employee the child care provider hires in fiscal 2023 to work at least 30 hours per week for at least three months.

In an effort to support families who rely on child care subsidies, *Early Childhood Development - Child Care Scholarship Program - Alterations and Study* ([HB 995/SB 920](#)) creates a presumptive eligibility process to enable families seeking to access the State's Child Care Scholarship Program to receive a child care subsidy before and during the eligibility determination process. Upon submitting a form to MSDE indicating intent to apply for a subsidy, an individual will begin to receive a child care subsidy. If the individual does not fill out an application for the program within 15 days of submitting the form, the subsidy ends after 60 days. If the individual fills out an application for the program within 15 days of submitting the form and MSDE determines the individual does not qualify for a subsidy after reviewing the application, the subsidy ends on the later of 60 days or the date on which MSDE makes the determination. The subsidy is payable to child care providers and will be for an amount sufficient to ensure that the individual would not be required to pay a co-pay for child care if the individual participates in certain benefits programs or is employed or enrolled in an education or career training program. The bill also requires MSDE to study and make recommendations on establishing a process to expand access to subsidies under the Child Care Scholarship Program.

## **Elections**

The first Statewide vote-by-mail elections in Maryland were implemented in response to the COVID-19 pandemic for the 2020 primary and general elections to provide a safe way for voters to participate. That experience and broader concerns about the integrity of elections and voting rights in general inspired legislators during the 2021 session to introduce dozens of bills relating to absentee ballots, early voting centers, ballot drop boxes, ballot canvassing, post-election audits and reports, procurement of elections equipment and materials, composition and responsibilities of the State Board of Elections and local boards of elections, voter outreach and education, and various other elections-related issues. The General Assembly ultimately passed an extensive package of bills to address various issues (*see* [End of Session Summary for 2021 Session](#)).

This year, the General Assembly expanded upon last year's work in multiple ways. *Election Law - Ballots - Processing and Reporting Procedures* ([SB 163](#)) allows canvassing of absentee ballots to begin earlier to ensure timely certification of election results, allows voters to correct honest mistakes with omitting signatures from ballot envelopes, and ensures accurate counting of absentee and provisional ballots. *Election Law - Contested Elections* ([HB 291/SB 101](#)) fills important gaps in State law governing contested elections at both the State and local levels and gives the County authority to contribute public funds to a publicly financed candidate's contested election (i.e., recount) committee. *Election Law - Voting Systems Costs and Polling Places - Requirements* ([SB 158](#)) increases State funding for voting systems and helps ensure that Montgomery County will have sufficient resources to cover the costs of equipment purchases and leases, equipment storage and transportation, and staff compensation and training. The bill also reflects a desire to return to the traditional use of in-person polling locations for individual precincts whenever practicable, rather than using large voting centers that combine multiple precincts in one location, as was done in 2020 during the pandemic. Specifically, the bill requires that the number of in-person polling places used in the 2022



primary and general elections be at least equal to the number of in-person polling places used for election day in the 2018 general election

## **Employee Benefits**

### *Family and Medical Leave Insurance Program*

After years of considering various versions of legislation that would create an insurance program to provide benefits for paid family and medical leave to Maryland's workers, the General Assembly followed in the footsteps of ten States and the District of Columbia and passed *Labor and Employment - Family and Medical Leave Insurance Program - Establishment (Time to Care Act of 2022)* ([HB 496/SB 275](#)). The program established in this bill will provide wage replacement benefits to covered employees who need to take temporary leave from employment to care for specified family members, deal with their own serious health condition, or handle a qualifying exigency arising out of a family member's military deployment. A covered employee may receive up to 12 weeks of benefits for most qualifying situations and an additional 12 weeks under other specified circumstances. The program is very complex and many implementation details will be developed by the Maryland Department of Labor, including the initial employer/employee cost share. The bill specifies that the cost share must range between 25% and 75% for both employer and employee and that the Department must reevaluate the cost share every two years. Employer contributions start in October 2023 and benefits start in January 2025.

## **Environment**

The environment was a top priority for the General Assembly this year with a focus on our climate emergency and efforts to increase carbon mitigation, bolster resiliency, and protect public health. The comprehensive *Climate Solutions Now Act of 2022* ([SB 528](#)) was the primary effort and a major victory for climate efforts. This landmark legislation establishes a roadmap for greenhouse gas reductions for decades to come and is one of the nation's most aggressive climate change laws, with goals of reducing greenhouse gas emissions statewide by 60% (from 2006 levels) by 2031 and achieving net-zero emissions statewide by 2045. The bill establishes a variety of foundational policies to achieve these goals, including: (1) establishing Building Energy Performance Standards for buildings of 35,000 square feet or more to achieve net-zero emissions by 2040; (2) requiring the Maryland Department of the Environment to develop a plan by 2030 to reach a zero emissions electricity supply by 2045; (3) converting the State's passenger and light duty vehicle fleets to zero emissions vehicles by 2031 and 2036, respectively; (4) creating a Climate Catalytic Fund (i.e., "green bank") to invest \$15 million over three years in projects to reduce greenhouse gas emissions; and (5) requiring greater energy efficiency and electricity grid improvements from utilities.

The General Assembly also passed a number of other bills to support the goal of reducing greenhouse gas emissions, including: *Public Utilities - Energy Efficiency and Conservation Programs - Energy Performance Targets and Low-Income Housing* ([HB 108/SB 524](#)), which establishes stricter requirements for energy efficiency and conservation programs for low-income

housing; *Maryland Energy Administration - Energy and Water Efficiency Standards - Alterations* ([HB 772](#)), which establishes requirements to create increased energy and water efficiency standards for household and commercial equipment sold in the State; the *Clean Cars Act* ([HB 1391](#)), which incentivizes electric and fuel cell vehicle purchases through an excise tax credit for vehicles with a base purchase price of \$50,000 or less; and *Public Utilities - Electric School Bus Pilot Program* ([HB 696](#)), which requires the Public Service Commission to develop a program much like an existing Montgomery County program. The County is already leading the way with a contract for the nation's largest procurement of all-electric school buses.

The transition to renewable energy, particularly solar energy, was a primary focus of many bills. Most of them served as vehicles to begin discussions that will continue in future years regarding land use issues and the need for incentives to help transition to a fully renewable electricity grid. However, two successful bills will assist the transition in the immediate future. *Community Solar Energy Generating Systems - Exemption From Property Taxes* ([HB 76](#)) creates a personal property tax exemption (through December 31, 2024) for community solar projects installed on a brownfield, rooftop, or parking canopy that supplies at least 50% of its energy to low- or moderate- income customers. *Property Tax - Community Solar Energy Generating Systems - Agrivoltaics* ([HB 1039/SB 860](#)) creates a personal property tax exemption for a community solar project that uses agrivoltaics (i.e., a combination of agriculture and solar power generation) or is installed on a landfill, brownfield, or rooftop if: (1) the project provides at least 50% of the energy it produces to low or moderate income customers at a cost that is at least 20% less than the cost charged by the electric company that serves the area; and (2) the project receives approval from the Public Service Commission by December 31, 2025. The amount of the exemption is 50% of the value of equipment and machinery that is subject to the personal property tax.

Other bills relating to climate change are intended to bolster resiliency efforts – i.e., infrastructure improvements to address the impacts of climate change we are already experiencing. The *Conservation Finance Act* ([HB 653/SB 348](#)) makes changes to a broad variety of existing programs relating to environmental conservation and natural resources management and expands opportunities for agencies to obtain private investment and financing for State environmental projects, including conservation efforts, restoration projects, and the installation and repair of green and blue infrastructure. The term “green infrastructure” means a natural area, natural feature, or system or feature designed to protect, mimic, or enhance a natural function that: (1) absorbs and filters pollutants; (2) attenuates shoreline erosions; (3) protects communities from flooding or storm surge; (4) reduces erosion; or (5) sequesters carbon. The term “blue infrastructure” refers to the same types of infrastructure when it involves a water-based area, feature, or system. *Maryland Energy Administration - The Resiliency Hub Grant Program and Fund* ([HB 31/SB 256](#)) establishes a Maryland Energy Administration program to develop resiliency hubs to serve low- and moderate- income households. The resiliency hubs will be locations where solar and battery storage combine to help communities during times of extended power outages with emergency heating and cooling, refrigeration, and other emergency electricity needs.

Montgomery County experienced a tragedy last year when a nineteen-year-old died after saving his mother when water poured into their Rockville basement apartment during a flash flood. The County may be in a better position to help prevent potentially damaging and deadly effects of adverse weather conditions thanks to the changes made to the Resilient Maryland Revolving Loan Fund that will more closely align the State with recently promulgated federal regulations. *Public Safety - Resilient Maryland Revolving Loan Fund - Alterations* ([HB 1312/SB 814](#)) clarifies that local governments receiving loans from the Fund may offer subsequent loans to private property owners, creates loan forgiveness options for those property owners, and includes a funding component for private capital to be leveraged for hazard mitigation of buildings.

After years of discussing bills relating to the impacts of high polycyclic aromatic hydrocarbon (PAH) and Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) on human health and the environment, the General Assembly passed legislation regarding both types of chemicals. *Environment - Sealant Products - Prohibitions (Safer Sealant Act of 2022)* ([HB 133/SB 372](#)) prohibits the sale and use of high PAH sealants, which are made from coal tar and applied to many asphalt surfaces. They are already banned in Montgomery County due to their effects on human health, especially on workers who apply the sealant. However, our local law is difficult to enforce and a statewide prohibition will support the County's efforts to remove these sealants from the ecosystem. *Environment - PFAS Chemicals - Prohibitions and Requirements (George "Walter" Taylor Act)* ([HB 275/SB 273](#)), which is named for a 31-year fire service veteran who died of cancers linked to PFAS chemicals, prohibits the manufacture, sale, and use of these "forever chemicals" that do not break down in the environment and accumulate in humans. PFAS chemicals are a common additive to firefighting foams, rugs, furniture, food packaging materials, and other products to make them resistant to heat, oil, water, stains, and grease and are linked to multiple harmful effects on humans, including cancer, thyroid disease, and reduced efficacy of vaccines.

## **Health and Human Services**

### ***Access to Health Care***

The legislature passed three bills of note that expand access to medical care covered by the State's Medicaid program. *Maryland Medical Assistance Program - Children and Pregnant Women (Healthy Babies Equity Act)* ([HB 1080](#)) requires Maryland Medicaid to provide comprehensive medical care and other health care services to noncitizen pregnant women who would be eligible for Medicaid but for their immigration status and to their children up to the age of one year. The Maryland Department of Health (MDH) must apply for a waiver from the federal Centers for Medicare and Medicaid Services (CMS) that maximizes federal funding and the number of individuals who would be eligible for Medicaid. The bill will enable many women who are currently served by Montgomery County's Maternity Partnership program to be enrolled in Medicaid. *Maryland Medical Assistance Program - Dental Coverage for Adults* ([HB 6/SB 150](#)) requires Maryland Medicaid, beginning January 1, 2023, to provide dental services, including diagnostic, preventive, restorative, and periodontal services, for adults with household

incomes up to 133% of the federal poverty level. *Maryland Medical Assistance Program - Psychiatric Inpatient Care - Admissions Restrictions (Psychiatric Hospital Admissions Equity Act)* ([HB 684](#)) implements changes in the HealthChoice waiver that was granted to MDH from CMS in late 2021. The §1115 HealthChoice waiver grants Maryland Medicaid the ability to cover 30 days of inpatient stays for serious mental illness for patients who receive care at an institution for mental disease. The bill codifies the waiver by prohibiting MDH from limiting or restricting admission of a Medicaid recipient for inpatient care at a special psychiatric hospital, such as an institution for mental disease or an acute general care hospital with separately identified inpatient psychiatric service, unless MDH bases the limit or restriction on the medical necessity of the admission.

Under current law, providers of Medicaid waiver services are entitled to receive a 4% reimbursement rate increase in fiscal 2023. The fiscal 2023 State budget includes this 4% increase as well as an additional 4% rate increase, for a total of an 8% increase in the reimbursement rate over the fiscal 2022 rate. The increase will go to:

- providers of services to individuals with developmental disabilities;
- providers of behavioral health services;
- providers of nursing home, medical day care, private duty nursing, personal care, home- and community-based services; and
- providers of services under the Community First Choice program.

While these providers will receive higher reimbursement rates for the services they provide, the legislature also sought to increase the number of Marylanders who receive these services. *Maryland Department of Health - Waiver Programs - Waitlist and Registry Reduction (End the Wait Act)* ([HB 1403/SB 636](#)) requires MDH to develop plans to reduce the waitlists for seven Medicaid waiver programs by 50% beginning in fiscal 2024. The bill also requires MDH to develop a plan to reduce the registry for the Autism Waiver that includes conducting eligibility determinations of individuals on the registry and, beginning in fiscal 2024, providing services to at least 50% of individuals determined eligible. By January 1, 2023, MDH must submit the plans to the Governor and General Assembly. Beginning in fiscal 2024, the Governor must include in the annual budget bill sufficient funds to implement the bill.

The demands placed on the health care workforce during the pandemic led the General Assembly to address current and future staffing shortages and take steps to ensure the health care workforce meets the linguistic and cultural competency needs of Marylanders. *Commission to Study the Health Care Workforce Crisis in Maryland - Establishment* ([HB 625/SB 440](#)) creates a Commission to Study the Health Care Workforce Crisis, which will determine the extent of the health care workforce shortage in the State in various health care settings, regions of the State, and languages in which care is provided. The bill reflects the County's priority to increase the number of linguistically and culturally competent health care, behavioral health, and social

service professionals serving our residents, including efforts to facilitate career pathways and reduce unnecessary professional licensure barriers. The Commission will issue a report by December 31, 2023 that: (1) identifies strategies to reduce turnover in the health care professions that are experiencing shortages; (2) identifies which health occupations boards have backlogs of applicants for licensure and certification and what improvements can be made to health occupations licensing in the State; (3) identifies future health care workforce needs as populations age including by region and spoken language; (4) identifies strategies to retain workers, including active and retired military personnel, in these professions; (5) examines the special needs of the rural health care system in the State; and (6) addresses barriers confronting foreign-born health professionals and identifies career and licensure pathways for refugees and immigrants with education, training, and experience from other nations. *Workgroup on Black, Latino, Asian American Pacific Islander, and Other Underrepresented Behavioral Health Professionals* ([HB 97](#)) establishes a workgroup to specifically identify and study the shortage of behavioral health professionals in the State who are Black, Latino, Asian American Pacific Islander, or otherwise underrepresented in the behavioral health profession and to make recommendations on methods to increase the number of such health professionals.

### ***Behavioral Health***

The State-Subdivision agreement brokered by the Maryland Attorney General that resulted from the State's participation in litigation against distributors and a manufacturer of prescription opioid medication was codified by *Opioid Restitution Fund - Appropriation of Settlement Funds and Grant Program* ([HB 1086/SB 419](#)). Maryland is expected to receive nearly \$500 million as part of the settlement and the funds will be allocated between the State and subdivisions according to a formula and grant program. Subdivisions of the State are to receive 25% of the funds directly and another 45% will be allocated via grants to be used for abatement of opioid use. *Public Health - Opioid Restitution Fund Advisory Council* ([HB 794](#)), which also passed the General Assembly, creates an Opioid Restitution Fund Advisory Council that will provide specific findings and recommendations regarding the allocation of money from the Opioid Restitution Fund. An amendment to include county representation on the Council was included in the final legislation.

### **Housing and Landlord-Tenant Issues**

As in the previous session, the General Assembly focused on measures to keep residents housed while many residents recover from the economic instability caused by the pandemic. A number of housing-related bills aimed at supporting rental assistance programs were considered before the legislature coalesced behind *Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination* ([SB 384](#)), an emergency bill set to terminate on September 30, 2025, which establishes that in a failure to pay rent action, if a tenant presents evidence that the tenant is currently awaiting a determination regarding the tenant's application for rental assistance, the court must stay the proceedings pending resolution of the tenant's rental assistance application and disbursement of any funds are awarded. A tenant's application for rental assistance must be submitted before the landlord files a written complaint or within 30

days of its filing. The bill will ensure that eligible renters will be able to benefit from rental assistance programs. *Landlord and Tenant - Right to Redemption of Leased Premises - Form of Payment* ([HB 932/SB 592](#)) closed a loophole in rental assistance program payments by adding electronic and written checks issued by a political subdivision or on behalf of a government entity to the enumerated forms of payment that constitute payment of rent. This change clarifies that a government-issued payment (i.e., rental assistance check) can be tendered to a landlord in an action of summary ejection for failure to pay rent by a tenant or resident exercising the right of redemption of the leased premises and the landlord cannot refuse to accept the check. *Landlord and Tenant - Repossession for Failure to Pay Rent - Shielding of Court Records* ([HB 521](#)), another COVID-related bill, will protect residents in an action for repossession of residential property for failure to pay rent if it was filed on or before March 5, 2020 but before January 1, 2022 where the failure to pay rent was due to a loss of income arising out of the pandemic. Under the bill, a tenant may petition a court to remove from public inspection records relating to an action for repossession of residential property for failure to pay rent. The provisions of the bill do not apply to a record relating to an action for repossession for failure to pay rent that resulted in a money judgment entered in favor of a landlord unless the tenant provides evidence that the judgment has been satisfied.

A broad bill addressing tenant rights that will benefit renters beyond the pandemic was enacted after failing to move through the Senate during the 2021 session. *Landlord and Tenant - Residential Leases - Tenant Rights and Protections (Tenant Protection Act of 2022)* ([HB 86/SB 6](#)) enhances the rights of residential tenants by: (1) establishing requirements and procedures for landlords that use a ratio utility billing system (RUBS); (2) requiring a statement of costs, as required under current law if a landlord withholds the return of a security deposit, to include specified documentation if practicable; and (3) expanding protections for tenants or legal occupants who are victims of specified crimes to include victims of stalking. Under the bills, a lease provision that requires a tenant to pay the utility charges billed to the tenant under a RUBS is unenforceable if the landlord fails to provide information such as how the utility costs are allocated and how the tenant can verify the amount they are billed. A county or municipal corporation may enact related local laws consistent with these provisions. Any local law or ordinance comparable in subject matter supersedes the State statutory provisions to the extent that the local law or ordinance is more stringent or provides stronger protection or broader applicability. The disclosure requirements in the bill are similar to the disclosure requirements that must be included in a lease under Montgomery County regulations if a landlord uses a RUBS to bill tenants for water and sewer service. The bill requires a statement of costs incurred by a landlord, as required under specified current law provisions when a security deposit is withheld, to also – where practicable – include supporting documentation (such as bills, invoices, and receipts) that identify the materials or services provided. The bill addresses the rights of tenant organizations with regard to free assembly and expands certain statutory provisions that pertain to victims of abuse. These protections are similar to those provided to tenants under County law.

*Access to Counsel in Evictions Special Fund - Funding* ([SB 662](#)) will also be used to support tenant rights. It requires the Comptroller to distribute \$14 million of abandoned property funds to the Access to Counsel in Evictions Special Fund in fiscal 2024. The fund is used to provide legal representation in evictions and related cases.

## **Parks and Recreation**

During the COVID-19 pandemic, the number of visitors to State parks increased by 45% but parks were unable to appropriately support the increased use because of decades of underfunding. *Natural Resources - Maryland Park Service and State Parks - Alterations (Great Maryland Outdoors Act)* ([SB 541](#)) is a sweeping 45-page bill that is intended to correct decades of underfunding by making broad and historic investments in State Parks to improve service and accessibility. Among other things, the bill creates a Park System Critical Maintenance Fund (with a \$70 million mandatory appropriation in fiscal 2024), Park System Capital Improvements and Acquisition Fund (with a \$37.9 million mandatory appropriation and \$43.1 million authorized transfer from Program Open Space in fiscal 2024), and a Great Maryland Outdoors Fund (with a \$3 million authorized annual appropriation starting in fiscal 2024).

Key provisions of the bill seek to: (1) address backlogged maintenance projects; (2) allow for new land acquisition to expand parks for better public access, historic preservation, and flood mitigation; (3) improve transportation, parking availability, and trail connectivity; and (4) increase the number of staff and enhance their compensation and working conditions. Of particular interest to Montgomery County is the part of the bill that authorizes the Department of Natural Resources (DNR) to establish the Freedman's State Historical Park in Montgomery County to educate the public about and preserve and interpret the lives and experiences of Black Americans both before and after the abolition of slavery. DNR must establish a stakeholder advisory committee to advise the department on the scope and management of the park and report to the General Assembly by January 1, 2023 on property suitable for inclusion in the park and funding that is needed to establish and promote the park.

## **Public Information Act and Open Meetings**

Last session, as a part of the Maryland Police Accountability Act of 2021, the General Assembly modified the Maryland Public Information Act (MPIA) to provide that, except for technical infractions, a record relating to an administrative or criminal investigation of misconduct by a law enforcement officer is not a protected personnel record. Instead, these records must be treated as investigatory records subject to a discretionary denial. This year, a bill was introduced that would have prohibited law enforcement agencies from charging a fee to cover the costs of searching for and preparing the first 500 pages of these records, rather than the current prohibition against charging a fee for the first two hours needed to search and prepare public records for disclosure. After concerns were raised about the complexity of these types of requests (which typically require redaction of confidential witness and victim information) and the creation of a disincentive for a requestor to narrow a request appropriately, the bill was amended to create a task force to explore these issues further. *Task Force to Study Public Information Act Requests Made to Law Enforcement - Establishment* ([SB 777](#)) requires the task force to study the costs charged by law enforcement agencies for responding to requests for investigatory records and the procedures used to handle these types of requests and to submit an

interim report and final report to the General Assembly by December 31, 2022 and December 31, 2021, respectively.

A bill relating to the State's Open Meetings Act, *Open Meetings Act - Notices and Closed Sessions - Retention Periods and Online Posting* ([HB 246](#)), increases from one to three years the length of time a public body must keep a copy of any meeting notice for an open or closed meeting and any required written statement about the closing of a public meeting. The bill also requires, to the extent practicable, that a public body post written statements about the closing of a public meeting online.

## **Public Safety**

### ***Cannabis Reform***

After years of discussing a complex array of issues relating to the potential legalization of adult use of recreational marijuana and other cannabis products, the General Assembly passed a proposed constitutional amendment to legalize the use and possession of cannabis products by individuals who are at least 21 years old, subject to any regulatory framework or other requirements enacted by the General Assembly. *Constitutional Amendment - Cannabis - Adult Use and Possession* ([HB 1](#)) will be placed on the ballot for the general election on November 8, 2022 for the voters to decide whether to adopt or reject.

The General Assembly also passed an expansive 55-page bill that, contingent on passage of the constitutional amendment, would allow the State to move forward expeditiously to implement criminal justice reforms and initiate efforts relating to public health and potential market structure. Among other things, *Cannabis Reform* ([HB 837](#)) requires the State to complete a baseline study of cannabis use in the State and conduct a disparity study to determine whether remedial measures are needed to ensure participation of minorities and women in the cannabis industry. The bill also creates a Cannabis Advisory Council, Cannabis Public Health Fund, Cannabis Community Reinvestment and Repair Fund, and Cannabis Business Assistance Fund. The bill does not address the type of licensing and regulatory framework to be implemented in Maryland, which would likely be addressed during the 2023 session if the constitutional amendment is adopted.

### ***Transparency and Accountability***

In the wake of the police-involved death of George Floyd two years ago in Minneapolis, the topic of police reform was a dominant issue of last year's session. Extraordinarily passionate and time-consuming debates on a multitude of related issues resulted in the passage of a package of five police reform measures, all of which were entitled the Maryland Police Accountability Act of 2021. This year, the General Assembly passed only one key bill relating to police reform. *Public Safety and Criminal Justice - Transparency and Accountability* ([SB 763](#)) modifies components of the police disciplinary process created last year and expands the jurisdiction and powers of the Independent Investigative Unit in the Attorney General's Office. It also serves as



a vehicle for imposing requirements regarding judicial transparency in sentencing for crimes of violence.

Regarding police discipline, key provisions of the bill include those that:

- require that any complaint of police misconduct involving a member of the public, regardless of whether the complaint originated from within a law enforcement agency or from external sources, be forwarded to the appropriate administrative charging committee;
- clarify that the uniform disciplinary matrix being developed by the Maryland Police Training and Standards Commission must be applied to “all matters that may result in discipline of a police officer”;
- clarify that State and bicounty agencies must establish their own trial boards;
- clarify that the only person who can appeal a trial board decision to circuit court is the police officer; and
- prohibit a law enforcement agency from establishing or altering any aspect of the police disciplinary process through collective bargaining.

Currently, all law enforcement agencies must notify the Independent Investigative Unit in the Attorney General’s Office of “any alleged or potential police-involved death of a civilian”. The bill renames the unit as the “Independent Investigative Division” and expands the notification requirement to apply to any “police-involved incident that results in the death of a civilian or injuries that are likely to result in the death of a civilian”.

Additional provisions of the bill: (1) require law enforcement agencies to provide any requested information to the Division and authorize the Attorney General to seek injunctive relief in order to facilitate an investigation; (2) specify that the Division is the primary investigative unit for police-involved incidents that result in the death of civilians or injuries likely to result in death; (3) specify that the Division shall determine whether the incident is “police-involved” or whether injury is likely to result in death; (4) give the Division subpoena power under certain circumstances; and (5) create a Task Force to Study Transparency Standards for State’s Attorneys.

Regarding judicial transparency, the bill requires the Maryland State Commission on Criminal Sentencing Policy to collect and publicly disseminate specified information about sentences involving a crime of violence.

## ***Juvenile Justice Reform***

This session, in passing *Juvenile Justice Reform* ([HB 459](#)), the General Assembly adopted the recommendations of the Juvenile Justice Reform Council, a stakeholder group established by the General Assembly in 2019. Provisions include new sentencing rules for youth that limit the circumstances under which a child younger than 13 is subject to the jurisdiction of the juvenile court, a ban on incarceration for minor offenses, expanded access to diversion initiatives, and new time limits for probation terms.

In addition to the Council's recommendations, the General Assembly passed the *Juvenile Law - Child Interrogation Protection Act* ([SB 53](#)), which requires a law enforcement officer who takes a child into custody or charges a child with a criminal violation to provide notice to the child's parents, guardian, or custodian of the child's location and the reason for the charge and prohibits police interrogation of the child until the child has consulted with a lawyer.

## ***Ghost Guns***

This session, Maryland joined nearly a dozen states that have either banned or taken steps to restrict the purchasing, receiving, selling, or transferring of "ghost guns". These self-assembled lethal firearms, available in kits for purchase online, do not have imprinted serial numbers on the unfinished frame or receiver, making them difficult, if not impossible, to track and regulate. Under *Public Safety - Untraceable Firearms* ([HB 425/SB 387](#)), the sale of unserialized firearms will be banned on June 1, 2022 and ownership of unserialized firearms will be prohibited on March 1, 2023.

## ***Roadway Safety***

Highly publicized incidents of chaotic car meet-ups and disruptive and dangerous car rallies across the State, including in Montgomery County, drew the attention of the General Assembly this year. *Street Racing, Exhibition Driving, and Noise Abatement - Prohibited Acts, Enforcement, and Penalties* ([SB 612](#)) was overwhelmingly adopted on the last day of session. The bill increases penalties and points assessment for violations related to participation in racing or speed contests. It also authorizes the police to tow and impound a vehicle that is driven in a race or a speed contest or an exhibition driving event. Finally, it prohibits the modification of an exhaust system or noise abatement device (i.e., muffler) beyond what was originally manufactured.

## ***Pedestrian and Bicyclist Safety***

With a nod toward Montgomery County's Vision Zero program, the General Assembly adopted several pedestrian and bicyclist safety bills. *State Highway Administration - Pedestrian and Bicyclist Fatalities - Infrastructure Review (Vision Zero Implementation Act of 2022)* ([HB 254/SB 874](#)) requires the State Highway Administration (SHA) to conduct an infrastructure review for every pedestrian or bicyclist fatality on a State highway or at an intersection of a State highway and another highway or a municipal street to identify deficiencies and appropriate corrective actions, and to complete and publish the review within six months after being notified by law enforcement of a pedestrian or bicyclist fatality. Additionally, by December 1, 2023, the

SHA must publish the vulnerable road user safety assessment required by the federal Bipartisan Infrastructure Bill.

The General Assembly also addressed pedestrian safety around schools. Just prior to adjournment, the legislature passed *Education - School Construction - Pedestrian Safety Plans (Safe Walk to School Act)* ([HB 19](#)), which requires local school boards seeking State funds for school construction or renovations that would increase the capacity of the facility by more than 100 students to submit a pedestrian safety plan to the Interagency Commission on School Construction that is developed collaboratively with the SHA and county departments of transportation.

### **Tax Relief**

For the first time in a number of years, the State surplus provided an opportunity for both sides of the aisle to consider enacting a tax relief package. An agreement was struck which will result in nearly \$2 billion of tax relief being provided to Maryland taxpayers over the next five years, as described below.

- Non-refundable income tax credits for retirees 65 and older, with adjusted gross income not to exceed \$100,000 for single filers and \$150,000 for joint filers. The single filer and joint filer credits will be \$1,000 and \$1,750 respectively. Based on the estimates, 80% of Maryland's retirees will receive a credit. (*Income Tax Retirement Income Subtraction Modifications and Senior Credit / Income Tax - Retirement Income Subtraction Modifications and Senior Credit (Retirement Tax Elimination Act of 2022)* ([HB 1468/SB 405](#))).
- State income tax credits for employers claiming the federal Work Opportunity Tax Credit for salaries and wages paid to workers from underserved communities that have faced significant barriers to employment. (*Income Tax - Work Opportunity Tax Credit* ([HB 2/SB 598](#))).
- Sales tax exemptions for child care products such as diapers, car seats, and baby bottles and critical health products such as dental hygiene products, diabetic care products, and medical devices. (*Sales and Use Tax - Diapers and Other Baby Products - Exemption* ([HB 282/SB 316](#)), *Sales and Use Tax - Baby Products - Exemption* ([HB 288](#)), *Sales and Use Tax - Oral Hygiene Products - Exemption* ([HB 492/SB 571](#)), *Sales and Use Tax - Medical Devices - Exemption / Sales and Use Tax - Medical Devices and Products - Exemption* ([HB 364/SB 488](#)), and *Sales and Use Tax - Diabetic Care Products - Exemption* ([HB 1151](#))).
- Maryland gas tax suspension for 30 days to provide short-term relief to Marylanders as prices at the gas pump increased quickly due to the events in Ukraine (*Motor Fuel Taxes - Tax-Free Period* ([HB 1486/SB 1010](#))). The suspension expires at midnight on April 16, 2022.

The General Assembly also made strides to ensure that low-income taxpayers receive the State tax credits for which they are eligible. *Income Tax - Maryland Earned Income Tax Credit Assistance Program for Low-Income Families* ([HB 252/SB 369](#)) requires the Comptroller's Office to identify Maryland residents who are eligible for the existing State earned income credit but did not claim the tax credit and to establish a streamlined mechanism by which eligible taxpayers may claim the credit. This program will be in effect until December 31, 2030.

## **Transportation**

The State's unprecedented surplus provided a unique opportunity for the Montgomery County Delegation to earmark State funds for County transportation projects. Overall, in addition to the funding provided through the State's Consolidated Transportation Program, \$120 million of new State investments will be made to help support the County's transportation infrastructure, including \$70 million for Bus Rapid Transit (BRT), \$17 million for two Metro entrances, \$14 million for the zero emissions bus program, and \$11 million for new bike trails and paths. The buildout of the County's new BRT system will benefit from the passage of *Economic Development - Sports Entertainment Facilities and Events, Prince George's County Blue Line Corridor Facilities, and Racing Facilities* ([HB 897](#)), which included a dedicated funding source to support investments in BRT tied to the diversion of funds from State lottery revenues to support the renovation of stadiums at Camden Yards in Baltimore City.

In addition to the State budget and Maryland Stadium Authority bills, several other important pieces of transportation related legislation passed, including *Transportation - Investment Program - MARC Rail Service (Maryland Regional Rail Transformation Act)* ([HB 778/SB 514](#)), a Maryland Area Regional Commuter (MARC) initiative that requires the Maryland Transit Administration to establish individual investment programs to advance the MARC Cornerstone Plan and specific rail priority projects as part of the investment programs, including 30% design for Germantown Station improvements before July, 2023. It also establishes a Transportation Trust Fund (TTF) Workgroup to examine TTF related funding issues, which will become increasingly important to understand as electric vehicles become more dominant. A bill that expands tax credits for employer provided commuter benefits, *Tax Credits - Employer-Provided Commuter Benefits - Expansion and -Administration* ([SB 210](#)), also passed. Finally, under *Transportation - Highway User Revenues - Revenue and Distribution* ([HB 1187](#)), a partial restoration of the Highway User formula which was nearly eliminated in 2010 will begin in fiscal 2024 (July 1, 2023). The formula provides funds to counties and municipalities to maintain roads and for other transportation related purposes.

## **Attachments**

Attachment 1 – Final Local and Bi-County Bill Status Report

Attachment 2 – State Aid Allocated to Montgomery County

Attachment 3 – State Grants for Capital Projects in Montgomery County (non-transportation)

Prepared by: Montgomery County Office of Intergovernmental Relations, April 15, 2022

**GA 22 Local and Bi-County Bills - Final Status**

<b>Bill No.</b>	<b>Title</b>	<b>Sponsor</b>	<b>Status_Desc</b>
HB 0231	Montgomery County - Automated Traffic Enforcement - Implementing Agency MC 18-22	Montgomery County Delegation	Senate - Hearing 3/23 at 1:00 p.m.
HB 0232	Montgomery County - Alcoholic Beverages - Class B Beer, Wine, and Liquor (Clubhouse/Lodge) License - Manufacturer's Licenses MC 23-22	Montgomery County Delegation	House - Returned Passed
HB 0233	Montgomery County - Alcoholic Beverages - Class 7 Micro-Brewery License and Licenses in the Town of Kensington MC 07-22	Montgomery County Delegation	House - Returned Passed
HB 0239	Montgomery County - Alcoholic Beverages - Class D Beer and Wine License - Farm Breweries and Limited Wineries MC 21-22	Montgomery County Delegation	House - Hearing 2/21 at 1:00 p.m.
HB 0240	Montgomery County - Board of Education - Membership MC 16-22	Montgomery County Delegation	House - Hearing 2/03 at 1:00 p.m.
HB 0241	Montgomery County - Damascus - Alcoholic Beverages - Class B Beer, Wine, and Liquor License Referendum MC 12-22	Montgomery County Delegation	House - Returned Passed
HB 0242	Montgomery County - Alcoholic Beverages - Consumption Only Marketplace Licenses MC 06-22	Montgomery County Delegation	House - Returned Passed
HB 0243	Montgomery County - Board of Education - Student Member Scholarship MC 05-22	Montgomery County Delegation	House - Returned Passed
HB 0362	Montgomery County - Voting Methods MC 13-22	Montgomery County Delegation	House - Hearing 2/08 at 1:00 p.m.
HB 0380	Montgomery County Board of Education - Election of Members MC 04"22	Montgomery County Delegation	House - Hearing 2/10 at 1:00 p.m.
HB 0396	Montgomery County Planning Board - Open Meetings - Video and Audio Streaming and Minutes PG/MC 101-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 0397	Maryland-National Capital Park and Planning Commission - Montgomery County - County Council and District Council - Voting Thresholds PG/MC 100-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 0399	Washington Suburban Sanitary Commission - Minority Business Enterprise Utilization Program - Termination Extension PG/MC 105-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 0400	Washington Suburban Sanitary Commission - Hiring and Promotion Preferences - Veterans and Their Spouses PG/MC 106-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 0485	Montgomery County - Deer Hunting - Sundays MC 25-22	Montgomery County Delegation	House - Returned Passed
HB 0503	Montgomery County - Board of Education Residence Districts - Ken Gar Neighborhood MC 26-22	Montgomery County Delegation	House - Returned Passed
HB 0526	Washington Suburban Sanitary Commission - Plumbing and Fuel Gas Services - Licenses and Penalties PG/MC 109-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 0535	Washington Suburban Transit Commission - Montgomery County and Prince George's County Commissioners - Repeal of Term Limit PG/MC 111-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 0811	Montgomery County - Speed Monitoring Systems - Maryland Route 200 (Intercounty Connector) MC 22-22	Montgomery County Delegation	House - Unfavorable Report by Environment and Transportation
HB 0812	Montgomery County - Board of Education - Data Disaggregation Policy and Racial Disparity Comparisons MC 24-22	Montgomery County Delegation	House - Returned Passed
HB 0813	Montgomery County - Speed and School Bus Monitoring Systems MC 03"22	Montgomery County Delegation	House - Returned Passed
HB 0918	Montgomery County - Landlord and Tenant - Tenant Access to Cable Television Systems and Equipment MC 01-22	Montgomery County Delegation	Senate - Hearing 3/31 at 1:00 p.m. (Judicial Proceedings) and Hearing canceled (Finance)
HB 1059	Bicounty Commissions - Ethics - Certification of Compliance PG/MC 103-22	Prince George's County Delegation and Montgomery County Delegation	House - Returned Passed
HB 1340	Montgomery County - Economic Development - Business Improvement Districts MC 08-22	Montgomery County Delegation	House - Returned Passed

Montgomery County Local Aid  
Year-Over-Year Comparison  
(\$ in thousands)

<u>Direct Aid</u>	<u>Final</u>	<u>Enacted</u>	<u>FY 2022 vs. FY 2023</u>	
	<u>FY 2022</u>	<u>FY 2023</u>	<u>chg. \$</u>	<u>chg. %</u>
Primary & Secondary Education	832,101	868,664	36,563	4.4
Libraries	3,509	3,717	208	5.9
Community Colleges	57,255	70,709	13,454	23.5
Health Formula Grant	4,505	5,172	667	14.8
Transportation	15,209	15,711	502	3.3
<i>County Highway User Formula Funds</i>	8,264	8,832	568	6.9
<i>Municipal Highway User Formula Funds</i>	6,566	6,500	(66)	(1.0)
<i>Elderly and Handicapped</i>	379	379	-	-
Police *	16,375	19,548	3,173	19.4
Fire and Rescue *	1,935	1,935	-	-
 Total Direct Aid	 930,889	 985,456	 54,567	 5.9
 <u>Retirement Contributions</u>	 <u>FY 2022</u>	 <u>FY 2023</u>	 <u>chg. \$</u>	 <u>chg. %</u>
Board of Education	162,162	153,186	(8,976)	(5.5)
Library Employees	2,120	2,120	-	-
Community College Faculty	10,842	10,901	59	0.5
 Total Retirement Contributions	 175,124	 166,207	 (8,917)	 (5.1)

\* these figures include municipality allocations

FY 23 police aid includes enhancement of \$3.3 million

Sources: Maryland Department of Budget and Management  
Montgomery County Office of Intergovernmental Relations

Montgomery County Office of Intergovernmental Relations

April 11, 2022



**Montgomery County Capital Projects**  
**(Not Included in the Consolidated Transportation Program)**  
**Fiscal Year 2023 and Preauthorizations**

<u>Public Schools *</u>		<u>45,241,651</u>
Diamond Elementary	929,000	
East Silver Spring Elementary	474,500	
Flower Valley Elementary	2,000,000	
Harmony Hills Elementary	2,662,500	
John F. Kennedy High	1,344,500	
Meadow Hall Elementary	162,500	
Parkland Middle	367,000	
Ritchie Park Elementary	269,500	
Rock View Elementary	825,000	
Sligo Middle	4,500,000	
Springbrook High	1,750,000	
Westland Middle	4,500,000	
Westover Elementary	635,000	
White Oak Middle	4,500,000	
Woodfield Elementary	757,500	
Wygate Elementary	362,000	
EGRC: McNair ( Ronald) Elementary	1,664,000	
EGRC: estimate of remaining amount to be allocated	16,936,000	
Aging Schools Program	602,651	
<u>Economic Development</u>		<u>10,000,000</u>
White Flint Redevelopment	10,000,000	
<u>Environment</u>		<u>300,000</u>
Linden Lane - Hazardous Substance Clean-up Program	50,000	
Stormwater Mitigation & Management in Washington Grove	250,000	
<u>Health Facilities</u>		<u>13,600,000</u>
Restoration Center	12,000,000	
Shady Grove Medical Center	1,200,000	
Sheppard Pratt - Rockville Campus	400,000	
<u>Higher Education Facilities</u>		<u>10,782,000</u>
Montgomery College, Takoma Park/Silver Spring - Leggett Math/Science Bldg.	6,839,000	
Montgomery College, Takoma Park/Silver Spring - Library	3,693,000	
Washington Adventist University	250,000	
<u>Housing and Community Development</u>		<u>4,249,000</u>
A Wider Circles Ann & Don Brown Center for Community Service	150,000	
A.M.E. Church Community Center	300,000	
Burtonsville Crossing Shopping Center (NEDS)	1,500,000	
Charles E. Smith Life Communities	600,000	
Easter Seals Inter-generational Center	175,000	
Friends House Retirement Community	250,000	
GGSF Community Outreach Center	300,000	
Housing Unlimited Inc.	974,000	
<u>Parks, Recreation, and Land Preservation</u>		<u>30,601,253</u>
Blohm Park Trail Project	250,000	
Clayborne Avenue Trail	300,000	
Gaithersburg - Morris Park Playground	275,000	
Glen Echo Park Parking Lot Rehabilitation	134,552	
Greenwood Local Park	250,000	
Laytonsville Local Park	150,000	
Little Falls Stream Valley Park	600,000	
Long Branch - Arliss Neighborhood Park	362,701	
Long Branch Parks Initiative	2,750,000	
McKnew Local Park	250,000	
Montgomery County Local Public Schools Playgrounds	1,350,000	
Montgomery County Muslim Foundation	600,000	
Newport Mill Local Park	300,000	
Olney Boys and Girls Club - New Crop Duster Stadium	1,000,000	

Olney Boys and Girls Club Performance Sports Center	250,000
Olney Family Neighborhood Park	125,000
Olney Mill Neighborhood Park	150,000
Park Overlook Walking Path	250,000
Rockville - Croydon Creek Nature Center Playground	96,000
Rosemary Hills - Lyttonsville Local Park	800,000
Seneca Creek State Park	564,000
South Germantown Recreational Park	1,000,000
Strathmore Local Park	250,000
The New Day Pavilion at Madison Fields	285,000
Upcounty Community Living Sports Expansion	150,000
Watkins Mill Recreation Area Outdoor Fitness Park	700,000
Wheaton Regional Park Action Sports Center	2,500,000
Woodend Nature Play Space	150,000
Program Open Space	14,759,000

**Public Safety** **2,950,000**

Glen Echo Fire Station	500,000
Laytonsville District Volunteer Fire Station	150,000
Maryland State Police - Barrack N (Rockville)	300,000
Olney Police Satellite Station and Community Facility	1,000,000
Sandy Spring Volunteer Fire Department	1,000,000

**Transportation** **102,200,000**

Bethesda Metro South Entrance	12,000,000
Bethesda Market - Lots 10 and 24	3,000,000
Bowie Mill Bike Trail	1,500,000
Cherry Hill Road Bike Facility	4,000,000
Great Seneca Science Corridor	2,500,000
Montgomery County Bus Rapid Transit Project	63,400,000
Norwood Road Bike Path - New Hampshire Ave. to Norbeck Rd.	4,000,000
Norwood Road Bike Path - Ashton Forest Terrace to Rt. 108	2,000,000
Oak Drive and MD 27 – Pedestrian Upgrades	1,000,000
Zero Emissions Buses	8,800,000

**Other Legislative Initiatives** **28,145,500**

ACSGW Parking Lot	57,000
Akhmedova Ballet Academy	75,000
Bank Barn at Madison Fields	150,000
Bender Jewish Community Center of Greater Washington	600,000
BlackRock Center for the Arts	850,000
Burtonsville Crossing Shopping Center	3,500,000
Community Services for Autistic Adults & Children Facility	2,348,500
Don Bosco Cristo Rey High School	1,500,000
East County Food Storage	200,000
F. Scott Fitzgerald Theatre	250,000
Food Systems Facility	150,000
Impact Silver Spring	750,000
Ivymount School, Inc	350,000
Melvin J Berman Hebrew Academy	665,000
Metropolitan Apartments	1,600,000
Montgomery County Humane Society	100,000
Montgomery History Office	700,000
Montgomery Village Foundation	800,000
Noyes Library	525,000
Olney Theatre Center	11,000,000
Pleasant View Historic Site Restoration Project	100,000
Randolph Road	200,000
Randolph Road Condos	225,000
Round House Theatre	500,000
Sandy Spring Museum	250,000
Warrior Canine Connection	700,000

**Grand Total** **248,069,404**

\* Does not reflect the distribution of Built to Learn funds, which totals \$480 million available for Statewide allocation





**Senate and House Preauthorizations for FY 2024**

Bethesda Market Lots 10-24	500,000
BlackRock Center for the Arts	350,000
MedStar Montgomery Medical Center	1,000,000
Montgomery College East County Expansion	2,000,000
Montgomery College - Takoma Park/Silver Spring - Library	1,342,000
Montgomery County Bus Rapid Transit Project	7,000,000
Montgomery County Local Public School Playgrounds	1,350,000
Olney Boys and Girls Club - Performance Sports Center	1,500,000
Restoration Center	5,000,000
Sandy Spring Museum	1,500,000
South Valley Park Improvements	1,000,000
Town of Brookeville - Market Street Improvements	500,000
White Flint Metro Station North Entrance	2,000,000
White Flint Redevelopment	6,000,000
Zero Emission Buses	<u>5,000,000</u>
<b>Total</b>	<b><u>36,042,000</u></b>

**House Preauthorizations for FY 2025**

White Flint Metro Station North Entrance	<u>2,500,000</u> \$
<b>Total</b>	<b><u>2,500,000</u></b>

