



2019 MSBA Legislation - Final Report

April 15, 2019

MSBA Committee on Laws

Margaret McKee and Hon. Steven Salant, Co-chairs

MSBA Office of Legislative & Governmental Relations

Richard A. Montgomery III, Director of Legislative & Governmental Relations

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SUPPORT

MD - HB159 Judgeships - Circuit Court and District Court

Last Action: **HB 159 died in Conference Committee, but SB 205, the cross-filed bill passed Enrolled, on April 8, 2019.**

Primary Sponsor: Speaker (**Judicial Conference**)

Committees:

[Budget and Taxation \(Senate\)](#)

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary:

Increasing from 5 to 6 the number of resident judges of the circuit court in Washington County; and increasing the number of resident judges by 6 judgeships of the District Court in certain districts.

MD - HB232 Transparency Act of 2019

Last Action: **Died in House Rules**

Primary Sponsor: Speaker (Hogan Administration)

Committee: House Rules

Summary:

Requiring the General Assembly to make available to the public live and archived video streaming of each meeting of the Senate of Maryland, the House of Delegates of Maryland, and a standing committee of the General Assembly, including any hearings or voting sessions held by a standing committee.

MD - SB5 Public Information Act - 9-1-1 Communications - Denial of Part of a Public Record

Last Action: **Returned Passed (April 8, 2019)**

Primary Sponsor: [Senator Cheryl C. Kagan \(D\)](#)

Committees:

[Education, Health, and Environmental Affairs \(Senate\)](#)

[Health and Government Operations \(House\)](#)

Summary:

Authorizing a custodian of records to grant inspection of part of a 9-1-1 communications record under certain circumstances after providing certain notice and considering certain information; requiring a custodian to grant or deny a certain application within a certain period of time; authorizing a custodian to redact certain information if a failure to do so would result in a

constructive denial of the entire public record; requiring a custodian to allow inspection by the person in interest; etc.

MD - SB199 General Assembly - Live and Archived Video Streaming of Meetings

Last Action: **Died in Sen. Education, Health & Environment**

Primary Sponsor: [Senator Michael J. Hough \(R\)](#)

Committee: [Education, Health, and Environmental Affairs \(Senate\)](#)

Summary: Requiring the General Assembly to make available to the public live and archived video streaming of each meeting of the Senate, the House, and certain standing committees, including any hearings held by certain standing committees.

MD - SB205 Judgeships - Circuit Court and District Court

Last Action: **Passed Enrolled (April 8, 2019)**

Primary Sponsor: President

Committees:

[Budget and Taxation \(Senate\)](#)

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary:

Increasing from 5 to 6 the number of resident judges of the circuit court in Washington County; and increasing the number of resident judges of the District Court in certain districts.

MD - SB207 Transparency Act of 2019

Last Action: **Died in Sen. Education, Health, and Environment**

Primary Sponsor: President (Hogan Administration)

Committee: [Education, Health, and Environmental Affairs \(Senate\)](#)

Summary: Requiring the General Assembly to make available to the public live and archived video streaming of each meeting of the Senate of Maryland, the House of Delegates of Maryland, and a standing committee of the General Assembly, including any hearings or voting sessions held by a standing committee.

MD - SB210 Law Enforcement - Federal Military Surplus Program - Equipment Acquisition

Last Action: **Returned Passed (April 5, 2019)**

Primary Sponsor: [Senator Susan C. Lee \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary:

Requiring that, on or before February 1 each year, the Department of State Police submit a report on the acquisition of equipment by law enforcement agencies through federal surplus programs within the preceding calendar year to the Governor and the General Assembly; and requiring the Department to include in a prominent location on its public website a link to the Defense Logistics Agency's report listing excess Department of Defense property transfers to law enforcement agencies; and terminating the Act after September 30, 2022.

MD - SB236 Jury Service - Qualification Criteria - Criminal Conviction or Charge**Last Action: Returned Passed (April 8, 2019)**Primary Sponsor: [Senator Jill P. Carter \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)[Judiciary \(House\)](#)

Summary:

Increasing from 6 months to 1 year the minimum criminal sentence or potential sentence that disqualifies an individual from jury service.

MD - SB246 Circuit Court Judges - Election**Last Action: Unfavorable Report by Judicial Proceedings (March 4, 2019)**Primary Sponsor: [Senator Benjamin F. Kramer \(D\)](#)Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; providing for a transitional period under which the terms of certain amendments are to become effective; submitting the amendment to the qualified voters of the State for their adoption or rejection; etc.

SUPPORT with Amendments

MD - HB13 Criminal Procedure - Partial Expungement and Expungement of Misdemeanor Conviction**Last Action: Died in Conference Committee (April 8, 2019)**Primary Sponsor: [Delegate Erek L. Barron \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)[Judiciary \(House\)](#)

Summary:

Authorizing a person to file a petition for partial expungement of certain criminal records under certain circumstances; establishing procedures for the filing of a petition for partial expungement; authorizing a person to file a petition for expungement of certain records if the person is convicted of a fourth degree burglary; making the Act contingent on a determination that the technical capabilities of the Judicial Information System and Case Search 2.0 are sufficient to comply with the Act and funding for improvements is available; etc.

MD - HB306 Mental Health - Involuntary Admission - Inmates in Correctional FacilitiesLast Action: **Died in House Judiciary**Primary Sponsor: [Delegate Charles E. Sydnor, III \(D\)](#)Committee: [Judiciary \(House\)](#)

Summary:

Repealing a certain provision of law to allow an application for involuntary admission to a facility of an inmate in certain institutions to be made by any person who has a legitimate interest in the welfare of the individual; altering the circumstances under which a facility operated by the Maryland Department of Health is required to receive and evaluate an inmate in a correctional facility who has been certified for involuntary admission; etc.

MD - HB487 Judicial Elections - Retention and FrequencyLast Action: **Unfavorable Report by Judiciary; Withdrawn** (March 29, 2019)Primary Sponsor: [Delegate Kathleen M. Dumais \(D\)](#)

Committees:

[Judiciary \(House\)](#)[Ways and Means \(House\)](#)

Summary: Proposing an amendment to the Maryland Constitution to increase the number of years between successive retention elections for judges of the Court of Appeals and Court of Special Appeals from 10 years to 12 years; proposing an amendment to the Maryland Constitution to provide for a retention election for a Judge of the Circuit Court; submitting the amendment to the qualified voters of the State for their adoption or rejection; etc.

MD - SB238 Criminal Procedure - Expungement and ShieldingLast Action: **Third Reading Passed (46-0) (April 8, 2019)**Primary Sponsor: [Senator Jill P. Carter \(D\)](#)Committee: [Judicial Proceedings \(Senate\)](#)Summary: **Heavily amended Cross-file of HB 13 – Partial Expungement (Barron)**

Repealing the prohibition on the filing of a certain petition for expungement based on an acquittal, a dismissal, or a nolle prosequi within 3 years after the disposition unless the petitioner files with the petition a certain waiver or release; requiring that certain records that are ordered for expungement be removed to a separate secure area to which persons who do not have a

legitimate reason for access are denied access; providing that certain expunged records are subject to discovery, except under certain circumstances; etc.

MD - SB968 Circuit Court Judges - Selection and Tenure

Last Action: **Died in Senate Rules**

Primary Sponsor: [Senator Chris West \(R\)](#)

Committee: [Rules \(Senate\)](#)

Summary:

Proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; requiring Senate confirmation of individuals appointed by the Governor to the office of a judge of a circuit court; providing for contested elections following an appointment to fill a vacancy in the office of a judge of a circuit court under certain circumstances; providing for the reappointment of certain judges; submitting the amendment to the qualified voters of the State for their adoption or rejection; etc.

OPPOSE

MD - HB19 Criminal Procedure - Expungement - Nonviolent Convictions

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate Cheryl D. Glenn \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Authorizing a person to file a petition for expungement if the person was convicted of a nonviolent crime; authorizing a court to determine whether a person who has filed a petition under the Act is entitled to expungement; requiring the court to take the specific circumstances of the case and the petitioner into consideration when making an expungement determination; and making certain technical corrections.

MD - HB236 Crimes - Use of a Firearm in the Commission of a Crime of Violence or Felony - Penalties (The Repeat Firearms Offender Act of 2019)

Last Action: **Died in House Judiciary**

Primary Sponsor: Speaker (Hogan Administration)

Committee: [Judiciary \(House\)](#)

Summary:

Altering penalties for a certain crime relating to use of a firearm in the commission of a crime of violence or felony.

MD - HB373 Family Law - Paternity and Birth Certificates

Last Action: **Died in House Judiciary**

Primary Sponsor: Department of Human Services

Committee: [Judiciary \(House\)](#)

Summary: Authorizing a court to disestablish an individual's paternity on the basis of fraud, duress, or material mistake of fact if the court finds that the disestablishment is in the best interest of the child; prohibiting a court from disestablishing an individual's paternity under certain circumstances; altering the circumstances under which a declaration of paternity may be modified or set aside; and expanding the circumstances under which the Secretary of Health is required to make a new certificate of birth for an individual.

MD - HB503 Employers of Ex-Offenders - Liability for Negligent Hiring or Inadequate Supervision - Immunity

Last Action: **Unfavorable Report by Economic Matters** (March 1, 2019)

Primary Sponsor: [Delegate Andrew Cassilly \(R\)](#)

Committee: [Economic Matters \(House\)](#)

Summary:

Establishing that certain employers are not liable, under certain circumstances, for negligently hiring or failing to adequately supervise an employee based on evidence that the employee has received probation before judgment for an offense or has been convicted of an offense; providing that the Act does not limit or abrogate certain other immunities or defenses; applying the Act prospectively; etc.

MD - HB676 Campaign Finance - Judges of the Circuit Court

Last Action: **Died in House Ways & Means** (February 7, 2019)

Primary Sponsor: [Delegate Alonzo T. Washington \(D\)](#)

Committee: [Ways and Means \(House\)](#)

Summary: Prohibiting lawyers and law firms from making contributions, directly or indirectly to the campaign finance entity of a candidate for the office of judge of the circuit court or a slate that includes a member who is a candidate for the office of judge of the circuit court; establishing a voluntary system of public campaign financing for campaigns for the office of judge of the circuit court; requiring a candidate whose petition is certified to receive a public contribution of a certain amount at a certain time; etc.

MD - HB756 Criminal Procedure - Cameras in the Courtroom - Criminal Sentencing Hearings

Last Action: **Unfavorable Report by House Judiciary** (March 14, 2019)

Primary Sponsor: [Delegate Nicholas R. Kipke \(R\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Creating an exception to the general prohibition against recording or broadcasting a criminal sentencing hearing; establishing requirements that a media organization file a certain written request to provide media coverage of a criminal sentencing hearing with the clerk of the court at least 24 hours before the hearing is scheduled to begin; requiring the clerk of court to provide notice of the

request to each party involved in the criminal proceeding; providing certain factors that a presiding judge may consider; etc.

MD - HB1030 Civil Law - Jury Proceedings - Fundamental Rights

Last Action: **Unfavorable Report by Judiciary** (March 14, 2019)

Primary Sponsor: [Delegate Daniel L. Cox \(R\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Establishing that a court may not terminate, limit, or regulate a right of a party that is enumerated in the United States Constitution or the Maryland Constitution and recognized by certain court precedent without providing the affected party the opportunity for a jury proceeding on the issue; prohibiting a court from issuing a certain final protective order over the objection of the respondent without first providing the respondent an opportunity to elect a jury proceeding on the facts and matters relating to the order; etc.

MD - HB1053 Civil Actions - Duty to Render Assistance

Last Action: **Unfavorable Report by Judiciary; Withdrawn** (March 11, 2019)

Primary Sponsor: [Delegate Mary Ann Lisanti \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Requiring an individual to provide reasonable assistance to certain first responders who are under threat of or have incurred serious physical injury if providing such assistance does not endanger self or others; establishing a certain penalty for a violation of the Act; providing civil immunity for a certain individual who renders reasonable assistance to another individual under the Act subject to certain limitations; and providing for the construction of the Act.

MD - HB1307 Marijuana Laws - Full Disclosure of Legal, Employment, and Health Risks

Last Action: **Died in House Rules and Executive Nominations** (February 14, 2019)

Primary Sponsor: [Delegate Rick Impallaria \(R\)](#)

Committee: [Rules and Executive Nominations \(House\)](#)

Summary: Requiring the Office of the Attorney General, at least 90 days before the implementation of any law that reduces penalties for or legalizes the use of marijuana, to establish an information system, including the creation of a website and public service announcements for radio, television, newspapers, and billboards, to notify the public of the risks related to the change in the law.

MD - HB1320 Maryland No-Fault Birth Injury Fund

Last Action: **Died in House Rules and Executive Nominations** (February 15, 2019)

Primary Sponsor: [Delegate Bonnie Cullison \(D\)](#)

Committee: [Rules and Executive Nominations \(House\)](#)

Summary:

Establishing a system for adjudication of a claim involving a birth-related neurological injury; providing for certain benefits and compensation of a claimant under the Act; establishing the

Maryland No-Fault Birth Injury Fund to provide compensation and benefits to eligible claimants; providing for certain premiums and insurance surcharges to be used to finance and administer the Fund; requiring the Maryland Patient Safety Center to convene a certain Perinatal Clinical Advisory Committee; applying the Act prospectively; etc.

MD - HB1375 Postconviction Relief - Ineffective Assistance by Counsel - Mandatory Referral to Attorney Grievance Commission

Last Action: **Died in House Rules and Executive Nominations** (February 20, 2019)

Primary Sponsor: [Delegate Curt Anderson \(D\)](#)

Committee: [Rules and Executive Nominations \(House\)](#)

Summary: Requiring the court, when granting an order in favor of the petitioner in a certain postconviction motion on the grounds of ineffectiveness of counsel, to refer the attorney whose conduct was found ineffective to the Attorney Grievance Commission for proceedings in accordance with the Maryland Rules governing attorney discipline.

MD - SB98 Family Law - Child Conceived Without Consent - Child Support

Last Action: **Died in Senate Judicial Proceedings**

Primary Sponsor: [Senator Michael J. Hough \(R\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary: Providing that, subject to certain conditions, a court order to terminate the parental rights of an individual convicted of or found by clear and convincing evidence to have committed an act of nonconsensual sexual conduct against the other parent resulting in the conception of a child does not affect the individual's responsibility to pay child support; providing that a parent may not bring an action for child support against a person whose parental rights have been terminated under certain circumstances; etc.

MD - SB219 Employers of Ex-Offenders - Liability for Negligent Hiring or Inadequate Supervision - Immunity

Last Action: **Unfavorable Report by Senate Judicial Proceedings** (March 13, 2019)

Primary Sponsor: [Senator Robert Cassilly \(R\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Establishing that certain employers are not liable, under certain circumstances, for negligently hiring or failing to adequately supervise an employee based on evidence that the employee has received probation before judgment for an offense or has been convicted of an offense; providing that the Act does not limit or abrogate specified other immunities or defenses; applying the Act prospectively; etc.

MD - SB295 Criminal Law - Death Penalty - Law Enforcement Officers and First Responders

Last Action: **Died in Senate Judicial Proceedings**

Primary Sponsor: [Senator Johnny Ray Salling \(R\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Providing that a person who is convicted of first-degree murder may be sentenced to death under certain circumstances; providing that the murder of a law enforcement officer or a first responder under certain circumstances constitutes aggravating circumstances that the court or jury must consider in making a determination as to the imposition of the death penalty; establishing procedures for the imposition of the death penalty; etc.

MD - SB869 Maryland No-Fault Birth Injury Fund

Last Action: **Died in Senate Judicial Proceedings**

Primary Sponsor: [Senator Delores G. Kelley \(D\)](#)

Committees:

[Finance \(Senate\)](#)

[Judicial Proceedings \(Senate\)](#)

Summary:

Establishing a system for adjudication of a claim involving a birth-related neurological injury; providing for certain benefits and compensation of a claimant under the Act; establishing the Maryland No-Fault Birth Injury Fund to provide compensation and benefits to eligible claimants; providing for certain premiums and insurance surcharges to be used to finance and administer the Fund; requiring the Maryland Patient Safety Center to convene a certain Perinatal Clinical Advisory Committee; applying the Act prospectively; etc.

MD - SB1049 Civil Actions - Office of Asbestos Case Mediation and Resolution

Last Action: **Died in Senate on Sine Die, after passing House heavily amended, to provide only for a Joint Legislative Committee to study Asbestos Caseloads.**

Primary Sponsor: [Senator Jeff Waldstreicher \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary: Establishing the Office of Asbestos Case Mediation and Resolution in the Executive Department; requiring certain civil suits involving asbestos claims to be referred to the Office for mediation; providing for the priority of certain civil suits in the mediation process; requiring all parties referred to the Office to participate in mediation subject to a certain condition; requiring the Director of the Office to notify the court if certain parties are unable to reach agreement through mediation; etc.

MONITOR

MD - HB30 Public Safety - DNA Analysis - Search of Data Base

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate Charles E. Sydnor, III \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Prohibiting a person from performing a search of the statewide DNA data base or any other DNA or genealogical data base for the purpose of identification of an offender in connection with a crime for which the offender may be a biological relative of the individual from whom the DNA sample was acquired.

MD - HB37 Criminal Procedure - Cell Site Simulator Technology

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate Charles E. Sydnor, III \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary:

Authorizing a court to issue an order authorizing or directing a law enforcement officer to use a cell site simulator after making a certain determination; limiting to 30 days or less the time period during which a cell site simulator may be used or location information may be obtained under the authority of a certain order; requiring cell site simulator use by law enforcement to begin 10 days after issuance of an order; providing that evidence obtained in violation of the Act is subject to the exclusionary rule, as judicially determined; etc.

MD - HB74 Criminal Procedure - Coram Nobis - Time for Filing

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate David Moon \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary:

Providing that, unless good cause is shown, a petition for writ of error coram nobis may not be filed more than 3 years after the petitioner knew or should have known that the petitioner faces a significant collateral consequence from the conviction that is the basis for the petition.

MD - HB141 Commercial Law - Internet Privacy and Net Neutrality

Last Action: **Died in House Economic Matters**

Primary Sponsor: [Delegate Kirill Reznik \(D\)](#)

Committee: [Economic Matters \(House\)](#)

Summary: Specifying the circumstances under which a broadband Internet access service provider may handle certain customer personal information in a certain manner; establishing a mechanism through which a broadband Internet access service provider may obtain customer consent to have certain personal information handled in a certain manner; declaring the intent of the General Assembly that if the State or a municipality provides broadband Internet services, it may not impose use restrictions that prohibit the exercise of free speech; etc.

MD - HB143 Criminal Procedure - Providing Electronic Device Location Information - Historical Data

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate David Moon \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Altering a definition of "location information" to include historical information concerning the geographic location of an electronic device that is or was generated by or derived from the operation of that device; and providing that certain evidence is not admissible in a criminal, civil, administrative, or any other proceeding.

MD - HB182 Judges - Mandatory Retirement Age

Last Action: **Unfavorable Report by Judiciary; Withdrawn** (February 22, 2019)

Primary Sponsor: [Delegate Jon S. Cardin \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary: Proposing an amendment to the Maryland Constitution increasing to 73 years from 70 years the mandatory retirement age for judges under certain circumstances; proposing an addition to the Maryland Constitution to provide for the application of certain amendments to the Maryland Constitution; submitting the amendment to the qualified voters of the State for their adoption or rejection; etc.

MD - HB240 Hate Crimes - Threats

Last Action: **Returned Passed (April 3, 2019)**

Primary Sponsor: [Delegate Samuel I. Rosenberg \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary:

Prohibiting a person from threatening to commit certain hate crimes; and applying certain penalties

MD - HB372 Evidence - Chain of Custody of DNA

Last Action: **Unfavorable Report by Judiciary; Withdrawn** (March 11, 2019)

Primary Sponsor: [Delegate Wanika Fisher \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary:

Establishing that a certain report signed by the DNA analyst is prima facie evidence of certain matters for a certain purpose under certain circumstances; providing that a certain DNA profile may be established without the necessity for the DNA analyst to personally appear in court under certain circumstances; providing that certain provisions of law do not preclude the right of any party to introduce any evidence supporting or contradicting certain evidence or presumptions; etc.

MD - HB412 Civil Actions - Strategic Lawsuits Against Public Participation

Last Action: **Unfavorable Report by Judiciary; Withdrawn** (February 22, 2019)

Primary Sponsor: [Delegate Samuel I. Rosenberg \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary:

Altering the conditions under which a lawsuit is considered a strategic lawsuit against public participation (SLAPP suit); specifying the conditions under which a lawsuit is not considered a SLAPP suit; altering the conditions under which a defendant in a SLAPP suit is not civilly liable for certain communications; providing that a ruling or failure to rule on a certain motion is immediately appealable; and providing for the prospective application of the Act.

MD - HB818 Access to Maryland Courts Act

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate Kathleen M. Dumais \(D\)](#)

Committee: [Judiciary \(House\)](#)

Summary:

Authorizing a court to award to a prevailing plaintiff reasonable attorney's fees and expenses in certain actions seeking to remedy a violation of a certain provision of the Maryland Constitution or the Maryland Declaration of Rights; authorizing a court to award reasonable attorney's fees and expenses to a prevailing defendant under certain circumstances; providing that the combined total of certain damages and certain attorney's fees and expenses awarded may not exceed certain limits on liability; etc.

MD - HB874 Criminal Procedure - Postconviction Review - State's Motion to Vacate

Last Action: **Passed Enrolled (April 8, 2019)**

Primary Sponsor: [Delegate Erek L. Barron \(D\)](#)

Committees:

[Judicial Proceedings \(Senate\)](#)

[Judiciary \(House\)](#)

Summary:

Authorizing a court to vacate a certain probation before judgment or judgment of conviction on the grounds that there is certain newly discovered evidence; establishing the requirements for a

certain motion; requiring the State to notify a certain defendant of the filing of a certain motion; authorizing the defendant to file a response to a motion within 30 days after receipt of a notice or within a time period ordered by the court; requiring that a victim or victim's representative be notified of a certain hearing; etc.

MD - HB914 Task Force to Study the Maryland Orphans' Courts

Last Action: **Unfavorable Report by Health and Government Operations; Withdrawn** (March 15, 2019)

Primary Sponsor: [Delegate Jason C. Buckel \(R\)](#)

Committee: [Health and Government Operations \(House\)](#)

Summary: Establishing the Task Force to Study the Maryland Orphans' Courts; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to examine the composition and purpose of the Orphans' Courts in Maryland and make recommendations about how to modernize the Orphans' Courts in Maryland; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before January 1, 2020; etc.

MD - HB1184 Compensation to Individual Erroneously Convicted, Sentenced, and Confined or Whose Conviction or Adjudication Is Reversed

Last Action: **Died in House Judiciary**

Primary Sponsor: [Delegate Kathleen M. Dumais \(D\)](#)

Committees:

[Health and Government Operations \(House\)](#)

[Judiciary \(House\)](#)

Summary:

Altering a provision of law to require, rather than authorize, the Board of Public Works to pay certain compensation to an individual who has been erroneously convicted, sentenced, and confined; requiring certain compensation made by the Board to be in an amount equal to the greater of \$50,000 for each year that the individual was in custody or the actual damages sustained by the individual, including any fines, governmental fees, costs, and restitution paid by the individual and determined to be owed to the individual; etc.

MD - HB1312 Clerks of the Courts - Maryland Judiciary Case Search - Notation of Plea Agreement

Last Action: **Died in House Rules and Executive Nominations**

Primary Sponsor: [Delegate Frank M. Conaway, Jr. \(D\)](#)

Committee: [Rules and Executive Nominations \(House\)](#)

Summary: Requiring a clerk of the court to include a notation on whether a plea entered in a criminal case was the result of a plea agreement as part of case information in the Maryland Judiciary Case Search; and providing for the prospective application of the Act.

MD - HB1329 Court of Appeals and Court of Special Appeals - RenamingLast Action: **Died in House Judiciary**Primary Sponsor: [Delegate Ron Watson \(D\)](#)Committee: [Judiciary \(House\)](#)

Summary:

Proposing an amendment to the Maryland Constitution to change the name of the Court of Appeals to be the Supreme Court of Maryland, to change the name of the Court of Special Appeals to be the Maryland Appellate Court, to change the name of a Judge of the Court of Appeals to be a Justice of the Supreme Court of Maryland, and to change the name of the Chief Judge of the Court of Appeals to be the Chief Justice of the Supreme Court of Maryland; etc.

MD - SB8 Criminal Law - Computer-Aided Firearm Fabrication - ProhibitionsLast Action: **Unfavorable Report by Senate Judicial Proceedings; Withdrawn** (March 4, 2019)Primary Sponsor: [Senator Joanne C. Benson \(D\)](#)Committee: [Judicial Proceedings \(Senate\)](#)

Summary: Prohibiting a person from using a certain computer-aided fabrication device to manufacture a firearm; prohibiting a person from possessing, selling, offering to sell, transferring, purchasing, or receiving a firearm manufactured using a certain computer-aided fabrication device; prohibiting a person from possessing, distributing, transmitting, publishing, selling, transferring, or purchasing a certain computer control language, computer program, computer software, or computer database; establishing certain penalties; etc.

MD - SB191 Compensation to Individual Erroneously Convicted, Sentenced, and Confined or Whose Conviction or Adjudication Is ReversedLast Action: **Died in Senate Judicial Proceedings**Primary Sponsor: [Senator Delores G. Kelley \(D\)](#)Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Altering a provision of law to require, rather than authorize, the Board of Public Works to pay compensation to a certain individual who has been erroneously convicted, sentenced, and confined; requiring certain compensation made by the Board to be in an amount equal to the greater of \$50,000 for each year that the individual was in custody or the actual damages sustained by the individual, including any fines, governmental fees, costs, and restitution paid by the individual and determined to be owed to the individual; etc.

MD - SB211 Evidence - Causing Unavailability of Witness - Standard of ProofLast Action: **Unfavorable Report by Senate Judicial Proceedings** (March 15, 2019)

Primary Sponsor: [Senator Susan C. Lee \(D\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Altering the standard of proof by which a judge in a certain criminal case must make certain findings before the judge may admit a certain statement into evidence.

MD - SB595 Court of Appeals and Court of Special Appeals - Renaming

Last Action: **Died in Senate Judicial Proceedings**

Primary Sponsor: [Senator Douglas J. J. Peters \(D\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Proposing an amendment to the Maryland Constitution to change the name of the Court of Appeals to be the Supreme Court of Maryland, to change the name of the Court of Special Appeals to be the Maryland Appellate Court, to change the name of a Judge of the Court of Appeals to be a Justice of the Supreme Court of Maryland, and to change the name of the Chief Judge of the Court of Appeals to be the Chief Justice of the Supreme Court of Maryland; etc.

MD - SB629 Access to Maryland Courts Act

Last Action: **Died in Senate Judicial Proceedings**

Primary Sponsor: [Senator Jill P. Carter \(D\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Authorizing a court to award to a prevailing plaintiff reasonable attorney's fees and expenses in certain actions seeking to remedy a violation of a certain provision of the Maryland Constitution or the Maryland Declaration of Rights; authorizing a court to award reasonable attorney's fees and expenses to a prevailing defendant under certain circumstances; providing that the combined total of certain damages and certain attorney's fees and expenses awarded may not exceed certain limits on liability; etc.

MD - SB764 Criminal Procedure - Forfeiture - Equitable Sharing of Proceeds

Last Action: **Died in Senate Judicial Proceedings**

Primary Sponsor: [Senator William C. Smith, Jr. \(D\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary: Prohibiting a forfeiting authority or seizing authority from receiving the proceeds of, or entering into an equitable sharing agreement with a federal agency to receive the proceeds of, certain property that is forfeited under federal law; and repealing a certain requirement that a seizing authority, in consultation with a certain forfeiting authority, report on an annual basis the amount the seizing authority received in the prior year from the federal government as part of an equitable sharing agreement.

MD - SB768 Civil Actions - Strategic Lawsuits Against Public Participation

Last Action: **Unfavorable Report by Judicial Proceedings (February 15, 2019)**

Primary Sponsor: [Senator William C. Smith, Jr. \(D\)](#)

Committee: [Judicial Proceedings \(Senate\)](#)

Summary:

Altering the conditions under which a lawsuit is considered a strategic lawsuit against public participation (SLAPP suit); specifying the conditions under which a lawsuit is not considered a SLAPP suit; altering the conditions under which a defendant in a SLAPP suit is not civilly liable for certain communications; providing that a ruling or failure to rule on a certain motion is immediately appealable; and providing for the prospective application of the Act.