

## MONTGOMERY COUNTY OFFICE OF INTERGOVERNMENTAL RELATIONS GENERAL ASSEMBLY 2021 END OF SESSION SUMMARY

The 2021 State legislative session, framed by some as “the weirdest session ever,” began on the second Wednesday in January, as it does every year. But it was not a typical opening day nor a typical 90-day session, given the COVID-19 pandemic conditions that had intensified with the onset of winter weather. While the 47-member Senate did meet in-person as a full body, the House waited until February, dividing its 141 members between the House Chambers and an annex created in the House Office Building. For the duration of the session, the Statehouse Complex was closed to the public. However, the work of the Legislature was more transparent than ever: hearings and voting and work sessions were streamed live, and public input was accommodated via remote access.

Despite the abnormalities, the Legislature moved quickly to address the needs of Marylanders struggling to recover from the pandemic. The *Recovery for the Economy, Livelihoods, Industries, Entrepreneurs, and Families (RELIEF) Act* ([SB 496/HB 612](#)) passed in February, followed by the State budget a month later, which was heavily amended to reflect the allocation of federal funds the State received from stimulus bills passed by Congress in December and March. Outside of the pandemic, other issues had also risen to the surface. The need to address police reform had finally reached a boiling point and shortly after the premature end of the 2020 session, the Governor vetoed several major pieces of legislation that the Legislature would override. One of these bills was the Blueprint for Maryland’s Future.

This abbreviated summary highlights key Statewide matters impacting the County, including legislation relating to the [County’s priorities](#). Attachment 1 shows the final status of local and bi-county bills.

### **Pandemic Financial Relief and the State Budget**

Addressing the fallout from the global pandemic that took hold of the country last March was the first order of business in the 2021 session. A week after the session convened, the Governor introduced the RELIEF Act ([SB 496/HB 612](#)) to provide direct financial assistance to individuals and businesses hit hard by the pandemic. In short order, consensus legislation was signed into law that allocated nearly \$687 million in assistance payments and \$585 million in tax relief to Marylanders. An enhanced refundable earned income tax credit was included among the tax relief provisions. An accompanying piece of legislation, *Income Tax - Child Tax Credit and Expansion of the Earned Income Credit* ([SB 218/HB 143](#)), expands this credit to Maryland residents who file State tax returns using an individual tax identification number. These taxpayers would not otherwise be eligible since the State credit is only available to those that qualify for the federal earned income tax credit, which requires a social security number.

Funds from two major pieces of federal stimulus legislation were also allocated after the operating budget was released. Late in December, Congress passed a “bridge” stimulus package

that directed \$3.2 billion in aid to Maryland residents, businesses, and the State and local governments. The major package, the American Rescue Plan, passed in March and brought in billions of dollars to support Maryland schools, rental assistance, broadband expansion, vaccine deployment, and other programs to address the pandemic fallout, in addition to \$3.9 billion the State could spend more flexibly. By the time the December and a portion of the March federal funds were appropriated, the size of the fiscal 2022 State operating budget increased from \$49.3 billion to nearly \$52.4 billion.

This was coupled with an improvement to the State's fortunes prior to receiving these additional dollars: due in part to the federal stimulus that had supported the unemployed, businesses, public health, and the emergency response operation generally, the dire revenue picture that the State believed it would face not long after the pandemic took hold did not materialize. In fact, nearing the close of the 2021 session, the State found itself flush with cash and able to reverse budget reductions that had been recommended by the Administration in January. Not only was the State able to make significant new infrastructure investments, it was also able to "pay it forward" on obligations like Blueprint funding, pension liabilities, and replenishment of reserves, all but eliminating its structural deficit for years to come.

Counties, including Montgomery, were direct beneficiaries of the State's windfall. Overall, direct State aid to Montgomery County increases from \$901 million to \$931 million. Twenty-four million dollars of that increase will be allocated to Montgomery County Public Schools (MCPS) through a formula that distributes State funds among the 24 school systems based on relative student wealth (*see* Attachment 2). The State's capital budget reflects investments in Montgomery County totaling just short of \$126 million (*see* Attachment 3). This does not include funding in the State's Consolidated Transportation Program for County transportation projects nor the allocation of \$520 million in *Built to Learn* bond proceeds that will be available this year to finance public school construction Statewide. MCPS will surely receive some of these funds. Federal stimulus funds directed to the State helped make possible new State investments in Montgomery County's bus rapid transit initiative. In addition, the State was able to more than double its support for the County's parks, recreation, and land preservation programs, bringing the fiscal 2022 total to \$21 million for these programs.

## **Education**

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

One key matter awaiting the General Assembly's attention at the start of the 2021 Session was the question of whether to override the Governor's veto of the *Blueprint for Maryland's Future - Implementation* ([HB 1300](#)) (Blueprint) that was passed during the 2020 Session. This landmark bill established a comprehensive plan to phase in fundamental changes in the State's approach to pre-kindergarten through grade 12 public education over a 10-year period by addressing challenges relating to early childhood education, recruiting and retaining teachers, college and career readiness, serving students with special needs, and governance and

accountability. An overview of the Blueprint is included in the [End of Session Summary](#) prepared last year by the Montgomery County Office of Intergovernmental Relations.

When the General Assembly overrode the Governor's veto five weeks into session, it reaffirmed the State's commitment to the Blueprint and ensured that the Built to Learn Act of 2020, and its plan for accelerating school construction throughout the State, would also take effect. The delayed enactment of the Blueprint required the General Assembly to pass a companion bill to "fix" timelines and other Blueprint requirements that were no longer appropriate in light of the delay and to address concerns about the intervening impacts of the COVID-19 pandemic.

The *Blueprint for Maryland's Future - Revisions* ([HB 1372/Ch. 55](#)) generally defers implementation of the 10-year plan by one year and makes related technical changes. Significantly, the bill modifies the enrollment counts that will be used to calculate State aid and maintenance of effort funding for fiscal 2022 and 2023 to address aberrant declining enrollment counts for the 2020-2021 school year. The State budget complements this statutory change by appropriating funding for a hold harmless grant to account for the declining enrollment issue that includes \$22.2 million for Montgomery County Public Schools (MCPS) in fiscal 2022.

To address impacts of the pandemic on students and their families, the General Assembly used [HB 1372](#) in combination with additional funding in the State budget to require school systems to: (1) offer summer school programs in calendar years 2021 and 2022 to address learning loss (the State budget includes \$50 million for summer 2021); (2) make tutoring and supplemental instruction to address learning loss available during the 2021-2022 and 2022-2023 school years (the State budget includes \$171 million for 2021-2022 school year); and (3) offer services to address trauma and behavioral health issues that have been exacerbated by the pandemic (the State budget includes \$25 million for 2021-2022 school year).

More broadly, [HB 1372](#) directs local school systems to use federal COVID-19 relief funds for the same types of programs listed above as well as other programs that mitigate learning loss due to the pandemic and otherwise further the educational goals outlined in the Blueprint. This requirement applies to the \$390 million received by MCPS under three federal COVID-19 relief bills enacted during the past year. The State budget also includes \$10 million to help schools reopen in-person for the 2021-2022 school year. Looking to the future, [HB 1372](#) adds \$200 to the per pupil foundation funding, beginning in fiscal 2025, to be used for educational technology to help bridge the digital divide in our school systems.

### ***Community Colleges***

State funding for community colleges under the Senator John A. Cade Funding Formula is currently determined by multiplying enrollment at a community college by a percentage of per pupil funding received by public four-year institutions. Prior to fiscal 2022, the Department of Budget and Management (DBM) did not include cost-of-living adjustments (COLAs) in the individual appropriations for each of the specified four-year institutions. Instead, these costs were appropriated centrally in the DBM budget and COLA increases for the upcoming fiscal year were not reflected in the per pupil funding amount used in the Cade Formula. However, the

COLA funding was later transferred into each institution's individual budget and reflected in Cade Formula calculations in subsequent years. Effectively, the impact of State COLAs on the Cade Formula lagged by one fiscal year, resulting in an artificial deflation of the overall funding received by the institution. Although DBM did not use this budgeting technique for fiscal 2022, the General Assembly passed a bill, *Institutions of Higher Education - State Funding - Revisions* ([SB 433/HB 173](#)), to ensure that it will not happen again. The bill specifies that the calculation of State appropriations to four-year public institutions that is used in the Cade Formula must include appropriations, regardless of where they are budgeted, that are designated for the general operation of the institutions, including personnel-related appropriations.

### ***Libraries – Electronic Literary Products***

Currently, many publishers severely limit the ability of public libraries to acquire electronic books or electronic audio recording of books by denying libraries access to their licenses all together or until a certain amount of time after the materials have been released to the general public. These practices hamper the ability of public libraries to obtain materials needed by their communities and weigh most heavily on residents who cannot afford to buy them. In passing *Public Libraries - Electronic Literary Product Licenses - Access* ([SB 432/HB 518](#)), the General Assembly made it possible for libraries to overcome this challenge by requiring publishers of electronic “literary products” to offer to license the products to public libraries “on reasonable terms” that will enable the libraries to provide library users with access to the products.

### **Transportation**

While the allocation of RELIEF funds and other federal stimulus dollars that flowed through the State to local transit systems suffering pandemic-related revenue losses was very helpful, only one of the three transportation related bills of interest to Montgomery County passed. That bill was *Transportation - Maryland Transit Administration Funding and MARC Rail Extension Study (Transit Safety and Investment Act)* ([SB 199/HB 114](#)). The primary focus of the bill was to ensure adequate operating funding and capital financing for the state of good repair needs of the Maryland Transit Authority (MTA). Outside of the MARC train system, which is part of the Authority, the MTA is viewed as providing the greatest benefit to the Baltimore region. To create some balance, the bill was amended to include a program that Montgomery and Prince George's Counties had sought for several years that would provide State financial assistance to small businesses that have seen revenues decline due to disruption caused by the construction of the Purple Line. To help support these businesses, the fiscal 2022 budget includes \$500,000 and for each of the next two fiscal years the bill mandates appropriations of \$1 million per year.

Two other bills, both related to the I-495 and I-270 Public-Private Partnership (P3), failed to advance again this year. [SB 843/HB 67](#), *I-495 and I-270 Public-Private Partnership - Partnership Agreement - Requirements - (Maryland Department of Transportation Promises Act of 2021)*, would have prohibited the Board of Public Works from approving a P3 agreement to widen I-270 and I-495 unless a list of public commitments the Administration has made regarding its plans for the transportation project had been met. The other bill, *Public-Private*

*Partnerships - Process and Oversight* ([SB 361/](#)[HB 485](#)) would have created a P3 Oversight Review Board to review P3 solicitations and reports, with a primary focus on P3 projects valued at more than \$500 million.

## **Taxation**

In addition to various forms of business and individual tax relief that were passed in response to the pandemic, other pieces of unrelated tax legislation deserve mention. The *Local Tax Relief for Working Families Act of 2021* ([SB 133/](#)[HB 319](#)) allows counties to create progressive local income tax systems. Under current law, counties are restricted to one local income tax rate, ranging between 1% and 3.2%. The State rates vary and they are applied on a bracket basis: as taxable income increases, rates increase, making the State's system progressive. The bills allow counties the ability to create a system similar to the State's. However, as the bills advanced, the authority to increase the top local income tax rate on very high income earners was deleted, which eliminated the opportunity for the 11 counties (including Montgomery County) that already impose the top local income tax rate of 3.2% to introduce progressivity in a revenue neutral manner.

Another set of bills alters various tax credit programs that seek to incentivize investment in research and development ventures ([SB 196](#)) and cybersecurity ([SB 160](#)) and biotechnology ([SB 19](#)) companies, including extending the sunset dates for each of the programs. The newer Regional Institution Strategic Enterprise Zone Program (RISE) ([SB 778/](#)[HB 1279](#)) tax credit program, which creates tax and other incentives to foster innovation around institutions of higher education, was also revised to make the program more flexible.

A bill of significant interest to Montgomery County requires the State Department of Assessments and Taxation (SDAT) to rectify errors that the agency made in calculating the State Homeowner's' Property Tax Credit (HPTC) for many years. The HPTC is a State-funded program that provides credits against State and local real property taxes based on a homeowner's household income as compared to the homeowner's property tax bill. With the passage of *Property Tax - Homeowners' Property Tax Credit - Calculation of Refunds* ([SB 593/](#)[HB 158](#)), SDAT is now required to send retroactive refunds to thousands of low-income County residents for excessive property taxes that they paid in tax years 2018, 2019, and 2020. The bill also clarifies how SDAT should calculate the credit in future tax years.

## **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 in the elections. That experience and broader concerns about the integrity of elections and voting rights in general inspired legislators 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 (SBE) and local boards of elections, voter outreach and

education, and various other elections-related issues. The General Assembly ultimately passed five key bills.

The first elections-related bill passed by the General Assembly, *Election Law - Early Voting Centers* ([HB 745 \(Ch. 43\)](#)), was sent to the Governor before Session ended and was enacted when the Governor allowed it to become law without his signature. The bill increases the mandatory number of early voting centers throughout the State based on voter population in each county. For Montgomery County, the bill increases the mandatory number of early voting centers from 11 to 13. The bill retains provisions of law that allow a county to establish one additional center if the local governing body and local board of elections agree to establish the center, but also now requires that the SBE approve the establishment of the additional centers. The bill outlines criteria that a local board of elections must consider when determining the location of early voting centers.

The second elections-related bill passed by the General Assembly, *Election Law - Voting - Permanent Absentee Ballot List, Ballot Drop Boxes, and Reports* ([SB 683 \(Ch.56\)/HB 1048](#)), was also sent to the Governor before Session ended and was enacted when the Governor allowed it to become law without his signature. The bill requires the SBE to establish a permanent absentee voting list and sets up a process for voters to request to be placed on the list so they will automatically receive absentee ballots before each election. For the 2022 and 2024 elections, the bill requires the SBE to send absentee ballot applications to all eligible voters who are not on the permanent absentee voting list. The bill also: (1) outlines factors for a local board of elections to consider when determining the location of ballot drop boxes; (2) requires local boards to ensure the security of the ballot drop boxes by using security cameras at all times, ensuring periodic in-person visits by appropriate personnel, and removing ballots from each box at least once a day; and (3) and requires the SBE to establish chain of custody procedures for removal and return of ballots from each box to the local board.

The *Student and Military Voter Empowerment Act* ([SB 283/HB 156](#)) primarily addresses voter registration and voting by military and overseas voters and students at institutions of higher education in the State, including: (1) a process for a military or overseas voter to submit a federal post card application electronically; (2) designation of a student voting coordinator and development and implementation of a student voting plan at each public institution of higher education; (3) placement of links to the SBE's online voter registration system on online portals used by higher education students to register for course work; and (4) inclusion of a web page on the SBE's website that provides information about registration and voting to students enrolled in institutions of higher education. The bill also requires local boards of elections to obtain input from large residential institutional communities when establishing precinct boundaries and designating polling places.

*Election Law - Early Voting Centers - Hours of Operation* ([SB 596/HB 206](#)) increases the hours during which early voting centers must be open for all primary and general elections by requiring that they be open from 7:00 a.m. to 8:00 p.m. instead of 8:00 a.m. to 8:00 p.m. for presidential general elections and 10:00 a.m. to 8:00 p.m. for all other regular primary and

general elections. *Election Law - Correctional Facilities - Voter Registration and Voting* ([HB 222](#)) requires all State and local correctional facilities to take a variety of steps to facilitate voting by eligible incarcerated individuals and requires the Department of Public Safety and Correctional Services to ensure that individuals who are released from State or local correctional facilities are provided with written information about voter registration and voting rights.

## **Environment**

A number of bills were introduced this year aimed at combatting climate change and reducing the State's carbon footprint. The comprehensive *Climate Solutions Now Act of 2021* ([SB 414/HB 583](#)) sought to increase the Statewide greenhouse gas (GHG) emission reduction requirement from 40% of 2006 levels by 2030 to 60% of 2006 levels by 2030 and ultimately would have required the State to achieve net-zero GHG emissions by 2045. It also included ambitious changes to the State's building code requirements, a plan to transition the State's bus fleet to electric buses, and a requirement that the State plant and maintain five million native trees by 2030. Both the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee amended the bill but were unable to reconcile the amendments prior to sine die.

Although this comprehensive measure did not pass, a separate bill requiring the Maryland Transit Administration (MTA) to transition to electric buses was successful this year. *The Maryland Transit Administration - Conversion to Zero-Emission Buses (Zero-Emission Bus Transition Act)* ([SB 137/HB 334](#)) prohibits the MTA from entering into a contract to purchase buses for its transit bus fleet that are not zero-emission buses, beginning in fiscal 2023. The bill does allow the MTA to purchase an alternative-fuel bus if it determines that no available zero-emission bus meets the performance requirements for a particular use.

For the past several years, Delegate Lorig Charkoudian has sponsored legislation authorizing local governments to establish Community Choice Energy (CCE) programs. This year she found success with a bill that allowS Montgomery County to pilot such a program. Delegate Charkoudian, Senator Brian Feldman, and the members of the Montgomery County Delegation were instrumental in the passage of this legislation.

*Montgomery County - Community Choice Energy - Pilot Program* ([HB 768](#)) authorizes Montgomery County to establish a CCE pilot program under which the County government purchases or generates electricity for its residents and businesses. The pilot program would have an anticipated duration of about seven years. The bill establishes an "opt-out" program, meaning that customers are automatically enrolled in the program unless they notify the County otherwise. The CCE model is intended to provide communities with additional control over their energy provider choices by allowing a jurisdiction/the aggregator to amass demand for the purpose of negotiating better rates and choose cleaner energy sources. CCEs are a hybrid between municipal utilities and standard investor-owned utilities. Typically, utilities are responsible for purchasing and distributing power, grid maintenance, and customer service. While customers currently have the ability to purchase power from other energy providers, most purchase from standard utilities often because they are unaware of their other options. Under a

CCE program, the local government purchases or generates the power, while the incumbent investor-owned utility maintains the grid and provides customer service.

In 2017, the Montgomery County Council declared a climate emergency calling on all levels of government to “initiate a massive global mobilization to restore a safe climate and build a sustainable economy” and “transform the climate by reducing greenhouse gas emissions by 80% by 2027 and reaching 100% elimination by 2035 and initiate large-scale efforts to remove excess carbon from the atmosphere.” This legislation provides the County with another tool as it seeks to achieve its target of eliminating greenhouse gas emissions entirely.

As the State looks to aggressively address green-house gas emissions, there is continued need to incentivize the transition to renewable energy. One way in which the State currently encourages the move to renewable energy is through net metering. Net metering is a utility billing mechanism that offers a credit to residential and business customers who generate their own renewable electricity and send any excess electricity back to the grid. Under current law in Maryland, electric companies are required to allow net metering for renewable energy projects constructed by eligible customer-generators if the capacity of a project is limited to 2 megawatts (MW). State law also includes a 1,500 MW cap on the total Statewide capacity of net metering projects.

The most recent Report on the Status of Net Energy Metering in Maryland, which was released by the State’s Public Service Commission (PSC) in November 2020, shows that the current level of installed capacity for net metered facilities in Maryland is approximately 846 MW. The report notes that the 1,500 MW Statewide cap could be reached in 2024 or 2025 if current rates of installation, based on average net metering capacity growth for the past two years, continue into the future. With that in mind, the report recommends that the General Assembly begin to explore expanding the current net metering cap or alternative replacement policies.

Legislation that increases the Statewide cap to 3,000 MW, therefore allowing additional net metering projects throughout the State, passed this session. *Electricity - Net Metering - Limit* ([SB 407/HB 569](#)) also encourages local governments, non-profit agencies, and businesses to increase use of renewable energy.

A second net metering bill that impacts projects located on property owned by local governments also passed. *Public Utilities - Net Metering* ([SB 508/HB 584](#)) prohibits the PSC from blocking the construction or operation of multiple net metered solar energy generating facilities located on contiguous lots owned by a local government solely because the capacity of the combined systems exceeds the 2 MW per project generating if: (1) the generating facilities are intended to be used solely for the benefit of the local government; (2) the total capacity does not exceed 5 MW; (3) the contiguous lots were not subdivided for the purpose of circumventing the 2 MW limit; and (4) the utility serving the net metered facilities is not an electric cooperative or municipal electric utility.

This bill, coupled with the increase in the Statewide cap under [SB 407/HB 569](#), will help facilitate the planning efforts of local governments and reduce uncertainty regarding the financial feasibility of renewable energy projects that sometimes take years to plan, design, and install.

## **Housing**

This year, housing security issues exacerbated by the pandemic dominated a lot of the conversation. There were bills that sought to protect renters and homeowners from losing their residences during a catastrophic health emergency, provide counsel for tenants facing eviction, and increase the surcharge required to file civil complaints in court.

*Landlord and Tenant - Eviction Actions - Catastrophic Health Emergencies* ([SB 910/HB 1312](#)) sought to codify Governor Hogan's [Executive Order 20-12-17-02](#) prohibiting eviction of a tenant if "the tenant can demonstrate to the court, through documentation or other objectively verifiable means, that the tenant suffered a Substantial Loss of Income." The bill would have prohibited a landlord from raising rent during a catastrophic health emergency as well. The Senate Judicial Proceedings Committee amended the bill to include eviction protections for tenants if a landlord accepted rental assistance funds to cure the tenant's arrears, as well as additional protections for tenants holding over passed the expiration of their lease. Ultimately, the bill did not receive a final vote in the Senate prior to the end of session.

*Mortgage Servicers - Requirements and Prohibitions During and After a State of Emergency and Catastrophic Health Emergency (Foreclosure Relief Act of 2021)* ([SB 724/HB 1009](#)) was introduced to provide similar protections for home owners. This bill would have: (1) prohibited a mortgage servicer from commencing or completing an action to foreclose; (2) required a mandated period of forbearance, upon request from a borrower; (3) frozen penalties and interest rates; and (4) required mortgage servicers, on or before November 30, 2021, to provide written notice by mail to each of the servicer's borrowers with a mortgage loan secured by property in the State regarding the borrower's rights under the bill. The bill failed to advance out of the Senate Judicial Proceedings Committee and the House Environment and Transportation Committee.

A bill creating a right to counsel did pass this session. *Landlord and Tenant - Residential Tenants - Right to Counsel* ([SB 154/HB 18](#)) establishes a right to legal representation for certain tenants in judicial and administrative proceedings and a Right to Counsel Eviction Program. In addition, the bill requires a landlord to provide a tenant with written notice 10 days before the landlord files a claim to recover possession of the property in District Court.

There were two bills that unsuccessfully sought to increase the surcharge required to file a civil case in District and Circuit Courts. *Landlord and Tenant - Eviction Actions - Filing Surcharge and Prohibited Lease Provisions* ([SB 530/HB 729](#)) was introduced at the request of Attorney General Brian Frosh. The funds would have been deposited into the Maryland Legal Services Corporation Fund (MLSC), which is used to finance civil legal services to indigent clients. *Courts - Surcharges and Payment to Special Funds - Prohibited Lease Provisions* ([HB 31](#)) directed the funds to: (1) the MLSC Fund; (2) the Right to Counsel in Evictions Special Fund; and (3) the Rental Assistance Special Fund, which was established by the bill.

While much of the housing legislation focused on issues arising from the pandemic, one successful piece of legislation ensures that funding of economic and community development projects in the Capital Region will continue. In 2019, the General Assembly established the National Capital Strategic Economic Development Program (Program) within the Department of Housing and Community Development. The Program provides financial assistance to certain government agencies, entities controlled by housing authorities, and community development organizations in the “national capital region” which consists of qualified opportunity zones and enterprise zones within the boundary created by Interstate 495 and the District of Columbia.

This year, the General Assembly passed [SB 509/HB 1253](#), *National Capital Strategic Economic Development Program - Eligibility and Funding*, which redefines the “national capital region” as “a sustainable community in Montgomery or Prince George’s County.” A sustainable community is defined as a part of a priority funding area that: (1) is designated by the Smart Growth Subcabinet on the recommendation of the Secretary of Housing and Community Development; (2) has been designated as a Base Realignment and Closure Revitalization Incentive Zone; or (3) has been designated a transit-oriented development.

In addition, [SB 509](#) makes permanent the requirement that the Governor annually appropriate \$200,000 to administer the program and \$7 million to support investments in the program. Previously, funding was only required for fiscal 2021 through fiscal 2025. The bill also specifies that for fiscal 2022 and fiscal 2023 the funds may only be used for community enhancement projects located in specified parts of Prince George’s and Montgomery Counties. During those fiscal years, all projects funded in Montgomery County must be located in an enterprise zone or the boundary created by: (1) Prince George’s County; (2) Maryland Route 200; (3) Interstate 270; (4) Interstate 495 to the Maryland state line; and (5) the District of Columbia. For fiscal 2024 and thereafter, the funds must be used for community enhancement projects in sustainable communities located, at least in part, within the boundary created by Interstate 495 in the State and the District of Columbia.

### **Health and Human Services**

Not satisfied with the Administration’s public health response to COVID-19, the General Assembly undertook its own legislative plan for ending the pandemic. The *COVID-19 Testing, Contact Tracing, and Vaccination Act of 2021* ([SB 741/HB 836](#)) (the Act) directs State and local agencies to collaborate and implement a 2-year, \$25 million plan to mitigate the spread of the disease and meet testing and contact tracing needs, with a design that addresses the disproportionate impact of the COVID-19 pandemic on underserved and minority communities in the State. The Act designates an additional \$15 million in fiscal 2021 and fiscal 2022 for grants to local jurisdictions to vaccinate residents against COVID-19, up to \$41 million in calendar year 2021 to assisted living programs and home health agencies and \$27.5 million for nursing homes to cover the cost of COVID-19 testing. To address vaccination, the bill requires the Maryland Department of Health to create a comprehensive vaccination plan by June 1, 2021 that equitably allocates vaccine and access and includes reporting measures for accountability. The State is to use only federal funding to undertake these measures. The Act also includes a section targeting COVID-19 response in institutions of higher education by requiring each school

to develop a screening and testing plan to ensure the safety of students, faculty and staff, and similar measures for home health agencies, nursing homes, and assisted living programs.

In response to the critical role of telehealth during the COVID-19 pandemic and the growing acceptance of telehealth as an alternative to in-person health care delivery across a number of medical disciplines, the General Assembly passed the *Preserve Telehealth Access Act of 2021* ([SB 3/HB 123](#)). The Act requires insurance carriers, including Medicaid, to reimburse health care providers for audio-only phone conversations with patients that result in a covered health care service beginning July 1, 2021 and terminating on June 30, 2023. Before the COVID-19 pandemic, providers would not be reimbursed for telephone conversations; these visits have been reimbursable under federal and State emergency health declarations in effect during the pandemic. The Act stipulates that carriers must reimburse health care providers for telehealth services at the same rate and on the same basis as if the health care services had been delivered in-person, and provides other parity protections such as requiring carriers to reimburse for a service delivered solely via telehealth and not in-person. To ensure that treatment provided through telehealth is appropriately provided and to monitor the impact on carriers, the Maryland Health Care Commission and the Maryland Insurance Administration are required under the bill to study and report on these issues to the General Assembly.

A bill to address health inequities, [SB 172/HB 463](#), the *Maryland Health Equity Resource Act*, was passed by the General Assembly, although without the long-term funding source the sponsors sought at the beginning of session. The Act broadly consists of two initiatives addressing health inequities.

The first is a grant program (the *Pathways to Health Equity Program*) to reduce health disparities, improve health outcomes, improve access to primary care, promote prevention services, and reduce health care costs and hospital admissions. Funding for the grant program consists of \$14 million previously allocated to the Maryland Community Health Resources Commission (MCHRC) by the [RELIEF Act of 2021](#). Applicants for the grant funding will be required to demonstrate that their program proposals could be financially self-sustaining and special consideration will be given to proposals from areas previously designated as Health Enterprise Zones.

The second is through the designation of “Health Equity Resource Communities” (HERC) – contiguous geographic areas that: (1) demonstrate measurable and documented health disparities and poor health outcomes; (2) are small enough to allow for the incentives offered under the bill to have a significant impact on improving health outcomes and reducing health disparities, including racial, ethnic, geographic, and disability-related health disparities; (3) are designated by MCHRC; and (4) have a minimum population of 5,000 residents. In fiscal 2023-fiscal 2025, \$15 million per year will be allocated from the Maryland Health Benefit Exchange fund to the Health Equity Resource Community Reserve Fund which will be used to: (1) support areas designated as HERCs by providing grants to reduce health disparities, improve health outcomes, provide drug treatment and rehabilitation, and reduce health costs and hospital admissions and readmissions; and (2) provide supplemental funding for behavioral health

programs. Applicants for the grant funding will be required to demonstrate that their program proposals could be financially self-sustaining and special consideration will be given to proposals from areas previously designated as Health Enterprise Zones.

The Act also includes incentives for health care practitioners and Community Health Workers who practice in an HERC in the form of loan repayment assistance and grants to defray the costs of capital or leasehold improvements to, or medical or dental equipment to be used in, an HERC. Funding for these incentives will come from the Health Equity Resource Community Reserve Fund.

Named after the late Tommy Raskin, son of Montgomery County Congressional Representative Jamie Raskin, the *2-1-1 Maryland - Mental Health Services Phone Call Program (The Thomas Bloom Raskin Act)* ([SB 719/HB 812](#)) requires the Maryland Department of Health (MDH) to make recommendations to 2-1-1 Maryland regarding the establishment of an opt-in mental health services phone call program. This program would consist of periodic calls from 2-1-1 call centers to persons who have opted into the program and would attempt to connect enrollees to a mental health provider upon request. The Governor may include an appropriation to MDH in the annual budget bill that is sufficient to carry out the bill's provisions.

Also of note – included in the Governor's Supplemental Budget No. 5 was \$2 million to support 100 additional slots under the Autism Waiver program. Maryland's Autism Waiver program is administered by Maryland State Department of Education and allows participants to receive Medicaid services not provided through local school systems or early intervention programs, such as intensive individual support, therapeutic integration, and service coordination.

### **Broadband Infrastructure and Internet Access**

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. Because of this inequity: tens of thousands of children in Maryland were unable to connect to remote learning resources when in-person learning stopped; physical and mental health problems were untreated due to the inability to access telehealth resources; some individuals who were forced to telecommute were unable to do their jobs while others who lost jobs were unable to apply online for unemployment insurance; obtaining vaccine appointments online was challenging; residents who became eligible under federal, State, and locally funded programs to receive help obtaining food, accessing health care, paying rent and utility bills, and connecting to other types of support to manage the day to day impacts of the pandemic were unable to access that support; and countless other individuals were unable to take advantage of the broad array of other resources available on the Internet to help navigate the challenges of the pandemic.

The General Assembly responded to these painful lessons about the inequitable impacts of the digital divide by passing *Department of Housing and Community Development - Office of Statewide Broadband - Established (Digital Connectivity Act of 2021)* ([SB 66/](#)[HB 97](#)), that turns the existing Office of Rural Broadband in the Department of Housing and Community Development into the Office of Statewide Broadband, with responsibility for ensuring that every resident in the State 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 also appropriated approximately \$300 million of federal COVID-19 relief funds to support these goals in fiscal 2022 through fiscal 2024.

The new Office must develop a Statewide plan to ensure that 98% of residents can connect to universal, affordable, reliable broadband Internet no later than December 31, 2025 and 100% must be able to connect by December 31, 2026. The Office must work closely with local governments, local school systems, higher education institutions, nonprofits, and business entities to implement the plan. The bill creates a Digital Inclusion Fund to provide competitive grants of up to \$500,000 to local governments and nonprofit organizations to implement programs that will help close the digital divide by enhancing access to high-speed Internet and expanding digital literacy. The bill also creates a Digital Connectivity Fund to provide competitive grants: (1) for planning, construction, and maintenance of broadband communication services, equipment, and activities; and (2) to assist local governments in expanding high-speed Internet access in disconnected areas of the State.

### **Public Safety**

In the wake of the police-involved death of George Floyd last year in Minneapolis, the topic of police reform was a dominant issue this session. Extraordinarily passionate and time-consuming debates on a multitude of related issues resulted in a package of five police reform measures, all of which were entitled the *Maryland Police Accountability Act of 2021* (MPAA of 2021), being sent to the Governor less than a week before session ended. The Governor allowed two bills relating to law enforcement employee assistance programs, surplus military equipment, and the independent investigation of civilian deaths caused by police officers to become law without his signature ([SB 71](#) and [SB 600](#)) but vetoed three bills relating to the police disciplinary process, body-worn cameras, use of force, no-knock warrants, access to police personnel records, tort liability, traffic stops, and scholarship and loan assistance programs ([SB 71](#), [SB 178](#), and [HB 670](#)). The General Assembly immediately overrode all three vetoes.

A key focus of the legislative debates revolved around the question of whether to repeal the Law Enforcement Officers Bill of Rights (LEOBR) and, if so, what would replace it. The LEOBR was enacted in 1974 and establishes an array of requirements governing the investigation of alleged police misconduct and imposition of disciplinary action. Concerns about the LEOBR are vast, but the overarching concern is that it gives police officers job protections that are not available to other public employees and that those protections have shielded the public from obtaining information about police discipline resulted in only a small percentage of complaints of alleged misconduct ending with disciplinary action.

In the end, the General Assembly decided to repeal the LEOBR and replace it with an entirely new paradigm as outlined in the *MPAA of 2021 - Police Discipline and Law Enforcement Programs and Procedures* ([HB 670](#)). This bill creates a police discipline and accountability process that ensures extensive civilian involvement in the handling of any complaint of police misconduct filed by a member of the public by requiring civilian participation in three entities: (1) a Police Accountability Board; (2) an Administrative Charging Committee (Charging Committee); and (3) a Trial Board.

Each county is required to establish a Police Accountability Board that is responsible for: appointing civilian members of the Charging Committee; receiving complaints of police misconduct filed by members of the public; working with law enforcement agencies (LEAs) to improve policing; reviewing outcomes of disciplinary matters considered by the Charging Committee; and making recommendations for policy changes to improve police accountability. Each county is also required to establish a Charging Committee to serve all LEAs within the county. The membership of the Charging Committee includes the Chair of the Police Accountability Board (or designee), two civilians selected by the Police Accountability Board, and two civilians selected by the County Executive.

After completing an investigation of a complaint made by a member of the public, an LEA must forward the investigative files to the Charging Committee, which must determine whether an officer should be administratively charged and recommend discipline in accordance with a disciplinary matrix established by the Maryland Police Standards and Training Commission (MPSTC). The Chief of the LEA may offer the same discipline recommended by the Charging Committee or a higher degree of discipline within the disciplinary matrix. If the officer rejects the discipline offer, the Chief must refer the matter to a Trial Board.

Each LEA must establish a Trial Board process to adjudicate any matter for which a police officer is subject to discipline (although a small LEA may use the Trial Board process of a larger LEA by mutual agreement). The Trial Board must be composed of an active or retired administrative law judge or a retired circuit court or District Court judge appointed by the County Executive, a civilian appointed by the Police Accountability Board who is not a member of the Charging Committee, and a police officer appointed by the Chief who is of equal rank to the officer to be disciplined. A Trial Board decision is final unless appealed to circuit court.

[HB 670](#) includes extensive details about every stage of the police disciplinary process, including rules governing emergency suspension, investigations, interrogations, expungement, and collective bargaining. Significantly, the bill does not take effect until July 1, 2022 and does not apply to a collective bargaining agreement that is entered into before that date. The bill also prohibits collective bargaining that negates or alters any of the requirements in [HB 670](#).

In addition to repealing and replacing the LEOBR, [HB 670](#) creates rules that police officers must follow when conducting traffic stops, increases tort liability for intentional tortious acts and omissions of police officers, prohibits expungement of any records relating to investigations of alleged misconduct and imposition of discipline, establishes a higher education

loan repayment assistance program for police officers who have worked in Maryland for at least two years, creates a scholarship program for current and aspiring police officers who work for at least five years as a police officer in Maryland, and gives the MPSTC new authority regarding certification and decertification of police officers. This authority includes the right to require any individual who applies to be a police officer in Maryland to inform the recruiting LEA of certain criminal convictions and any prior employment as a police officer, and authorizes the LEA to obtain personnel and disciplinary records from prior employment.

Under the *MPAA of 2021 - Surplus Military Equipment and Investigation of Deaths Caused by Police Officers* ([SB 600](#)), all LEAs in the State are prohibited from obtaining certain weaponized equipment as surplus from the federal government and must refer any investigation of a matter involving the death of a civilian to a new Independent Investigative Unit within the Office of the Attorney General. Under the *MPAA of 2021 - Body-Worn Cameras, Employee Programs, and Use of Force* ([SB 71](#)), all county and municipal LEAs must implement body-worn camera programs by certain dates, all LEAs in the State must establish an early intervention system to help identify police officers who are at risk of using excessive force, and all police officers must comply with a new Statewide use of force standard. The *MPAA of 2021 - Search Warrants and Inspection of Records Relating to Police Misconduct (Anton's Law)* ([SB 178](#)) establishes restrictions on the use of no-knock warrants and allows the public to obtain police personnel and investigatory records relating to complaints of alleged misconduct filed by members of the public under certain specified situations.

### **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 16, 2021

**2021 General Assembly Session**  
**Montgomery County Local and**  
**Bi-County Legislation**  
 Status as of April 13, 2021

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 1-21</b> (Delegates Moon, Acevero, Charkoudian, Crutchfield, Cullison, Palakovich-Carr, Shetty, and Stewart and Senator Smith)  <b>Montgomery County – Residential Property Sales – School District Information</b></p> <p><a href="#">HB 541</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would require a contract for the sale of single-family residential real property in Montgomery County to contain a certain notice concerning school district boundary changes; establishing that a certain contract may not be voided under certain circumstances; and generally relating to notice of school district information in the sale of residential real property in Montgomery County.</p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>12/17/20: MoCo Land Use, Transportation, &amp; Public Safety Committee Meeting – FAV</p> <p>1/7/21: MoCo House Delegation Meeting – FAV</p> <p>2/16/21: Environment and Transportation Committee Hearing</p> <p>3/1/21: Environment and Transportation Committee – FAV</p> <p>3/4/21: House of Delegates – 3rd Reader Passed</p> <p>3/12/21: MoCo Senate Delegation Meeting – FAV</p> <p>3/23/21: Judicial Proceedings Committee Hearing</p> <p>4/10/21: Judicial Proceedings Committee – FAV</p> <p>4/12/21: Senate – 3rd Reader Passed</p> <p>4/12/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 2-21</b> (Delegates Moon, Carr, Charkoudian, Crutchfield, Cullison, Palakovich-Carr, Shetty, Stewart, and Wilkins and Senator Smith)  <b>Montgomery County – Speed Limits - Establishment</b></p> <p><a href="#">HB 562</a></p>	<p>MC CE: Support with Amendment</p> <p>MC CC:</p>	<p>This bill would authorize Montgomery County to decrease the maximum speed limit to not less than a certain speed on highways in an urban district without performing an engineering and traffic investigation and on highways outside an urban district after performing an engineering and traffic investigation; and generally relating to the establishment of speed limits on highways in Montgomery County.</p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>12/17/20: MoCo Land Use, Transportation, &amp; Public Safety Committee Meeting – FWA</p> <p>1/7/21: MoCo House Delegation Meeting – FWA</p> <p>2/11/21: Environment and Transportation Committee Hearing</p> <p>3/1/21: Environment and Transportation Committee – FAV</p> <p>3/5/21: House of Delegates – 3rd Reader Passed</p> <p>3/12/21: MoCo Senate Delegation Meeting – HOLD</p> <p>3/18/21: Judicial Proceedings Committee Hearing</p> <p>3/26/21: MoCo Senate Delegation Meeting – FAV as Amended by the Senate</p> <p>4/2/21: Judicial Proceedings Committee – FWA</p> <p>4/6/21: Senate – 3rd Reading Passed</p> <p>4/9/21: House of Delegates – Concurr Senate Amendments</p> <p>4/9/21: House of Delegates – 3<sup>rd</sup> Reader Passed</p> <p>4/9/21: House of Delegates – Passed Enrolled</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 3-21</b> (Delegates Crutchfield and Stewart)  <b>Montgomery County – Cooperative Housing Corporations, Condominiums, and Homeowners Associations - Reserve Studies</b></p> <p><a href="#">HB 567</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would require the governing body of certain cooperative housing corporations in Montgomery County to have a reserve study conducted of the common elements of the cooperative housing corporation by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common elements of a cooperative housing corporation in Montgomery County to meet certain criteria; <a href="#">see Delegation webpage for full description.</a></p>	<p>12/8/20: MoCo Delegation Bill Hearing</p> <p>12/15/20: MoCo Education, Elections, &amp; Housing Committee Meeting – FWA (2)</p> <p>1/7/21: MoCo House Delegation Meeting – FWA</p> <p>2/16/21: Environment and Transportation Committee Hearing</p> <p>3/19/21: House of Delegates – 3<sup>rd</sup> Reader Passed</p> <p>3/26/21: MoCo Senate Delegation Meeting – FAV as passed by the House Delegation</p> <p>3/30/21: Judicial Proceedings Committee Hearing</p> <p>4/10/21: Judicial Proceedings Committee - FAV</p> <p>4/12/21: Senate – 3<sup>rd</sup> Reader Passed</p> <p>4/12/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 4-21</b> (Delegate Stewart)  <b>Montgomery County – Speed Monitoring Systems – Implementing Agency</b></p> <p><a href="#">HB 564</a></p>	<p>MC CE: Support</p> <p>MC CC: Support with Amendments</p>	<p>The bill would authorize Montgomery County to designate the Montgomery County Department of Transportation as the agency responsible for implementing speed monitoring systems in the county; requiring that an employee of the Montgomery County Department of Transportation, instead of a law enforcement officer, sign a certain required statement on a citation issued through the use of a speed monitoring system in Montgomery County under certain circumstances; and generally relating to speed monitoring systems in Montgomery County.</p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>12/17/20: MoCo Land Use, Transportation, &amp; Public Safety Committee Meeting – AMENDMENT</p> <p>1/6/21: MoCo Land Use, Transportation, &amp; Public Safety Committee Meeting – FWA</p> <p>1/7/21: MoCo House Delegation Meeting – FWA</p> <p>2/11/21: Environment and Transportation Committee Hearing</p> <p>3/17/21: Environment and Transportation Committee – FAV</p> <p>3/22/21: House of Delegates – 3<sup>rd</sup> Reader Passed</p> <p>4/1/21: Judicial Proceedings Committee Hearing</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 7-21</b> (Delegate Carr)  <b>Montgomery County – Housing Opportunities Commission – Closed Sessions</b></p> <p><a href="#">HB 769</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would limit the circumstances under which the Housing Opportunities Commission of Montgomery County or a committee of the Montgomery Commission may meet in closed session; prohibiting the Montgomery Commission or a committee of the Montgomery Commission from discussing or acting on certain matters while meeting in closed session; and generally relating to the Montgomery Commission.</p>	<p>12/8/20: MoCo Delegation Bill Hearing</p> <p>12/15/20: Education, Elections, &amp; Housing Committee Meeting – HOLD</p> <p>1/5/21: MoCo Education, Elections, &amp; Housing Committee Meeting – FWA</p> <p>1/7/21: MoCo House Delegation Meeting – FWA</p> <p>2/23/21: Environment and Transportation Committee Hearing</p> <p>3/17/21: Environment and Transportation Committee – FAV</p> <p>3/18/21: House of Delegates – 3<sup>rd</sup> Reader Passed</p> <p>3/26/21: MoCo Senate Delegation Meeting – FAV as passed by the House Delegation</p> <p>3/30/21: Judicial Proceedings Committee Hearing</p> <p>4/10/21: Judicial Proceedings Committee – FAV</p> <p>4/12/21: Senate – 3<sup>rd</sup> Reader Passed</p> <p>4/12/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 8-21</b> (Delegate Wilkins)  <b>Montgomery County Stable Homes Act</b></p> <p><a href="#">HB 574</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would prohibit evictions of a tenant holding over beyond the expiration of a lease in Montgomery County in the absence of just cause under certain circumstances; specifying the circumstances under which just cause exists in a certain action to evict; specifying that just cause is not required under certain circumstances; requiring a certain notice to a tenant to be sent in a certain manner under certain circumstances; authorizing a landlord to evict a tenant only after providing certain notice under certain circumstances; <i>see Delegation webpage for full description..</i></p>	<p>12/8/20: MoCo Delegation Bill Hearing</p> <p>12/15/20: MoCo Education, Elections, &amp; Housing Committee Meeting – FWA</p> <p>1/7/21: MoCo House Delegation Meeting – FWA</p> <p>2/16/21: Environment and Transportation Committee Hearing</p> <p>3/20/21: Environment and Transportation Committee – UNFAV</p>
<p><b>MC 11-21</b> (Chair on behalf of Montgomery County Government)  <b>Montgomery County – Alcoholic Beverages – Seating Requirements</b></p> <p><a href="#">HB 430</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would repeal certain seating capacity requirements for a BWL Community Performing Arts Facility license for alcoholic beverages in Montgomery County; and generally relating to alcoholic beverages licenses in Montgomery County.</p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>12/16/20: MoCo Economic Development Committee Meeting – FAV</p> <p>1/7/21: MoCo House Delegation Meeting – FAV</p> <p>2/12/21: MoCo Senate Delegation Meeting – FAV</p> <p>2/19/21: Economic Matters Committee Hearing</p> <p>3/5/21: Economic Matter Committee – FAV</p> <p>3/16/21: House of Delegates - 3rd Reading Passed</p> <p>4/2/21: Education, Health, &amp; Environmental Affairs Committee Hearing</p> <p>4/8/21: Education, Health, &amp; Environmental Affairs Committee – FAV</p> <p>4/8/21: Senate – 3<sup>rd</sup> Reader Passed</p> <p>4/9/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 12-21</b> (Senator Zucker and Delegates Kaiser, Luedtke, and Queen)  <b>Montgomery County – Alcoholic Beverages – Draft Beer for Off-Site Consumption in Damascus</b></p> <p><a href="#">HB 432</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would authorize the Board of License Commissioners for Montgomery County to issue a refillable container permit for draft beer or a nonrefillable container permit for draft beer to a holder of a Class H beer and wine license if the licensed establishment is in Damascus; making clarifying changes; and generally relating to alcoholic beverages in Montgomery County.</p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>12/16/20: MoCo Economic Development Committee Meeting – FAV</p> <p>1/7/21: MoCo House Delegation Meeting – FAV</p> <p>2/12/21: MoCo Senate Delegation Meeting – FAV</p> <p>2/19/21: Economic Matters Committee Hearing</p> <p>3/5/21: Economic Matter Committee – FAV</p> <p>3/16/21: House of Delegates - 3rd Reading Passed</p> <p>4/2/21: Education, Health, &amp; Environmental Affairs Committee Hearing</p> <p>4/8/21: Education, Health, &amp; Environmental Affairs Committee – FAV</p> <p>4/8/21: Senate – 3<sup>rd</sup> Reader Passed</p> <p>4/9/21: House of Delegates – Returned Passed</p>
<p><b>MC 14-21</b> (Delegates Luedtke and Moon)  <b>Montgomery County – Public Campaign Financing – Expansion</b></p> <p><a href="#">HB 433</a></p>	<p>MC CE: Support</p> <p>MC CC:</p>	<p>The bill would authorize the governing body of Montgomery County to establish, by law, a system of public campaign financing for candidates for the offices of Clerk of the Circuit Court, Register of Wills, Sheriff, and State’s Attorney; making a conforming change; making a technical correction; and generally relating to public campaign financing in Montgomery County.</p>	<p>12/8/20: MoCo Delegation Bill Hearing</p> <p>12/15/20: MoCo Education, Elections, &amp; Housing Committee Meeting – FAV</p> <p>1/7/21: MoCo House Delegation Meeting – FAV</p> <p>2/2/21: Ways and Means Committee Hearing</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 17-21</b> (Delegate Charkoudian)  <b>Montgomery County – Community Choice Energy – Pilot Program</b></p> <p><a href="#">HB 768</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill would applying certain laws regarding net energy metering and community solar generating systems to customers served by a community choice aggregator; altering the circumstances under which counties and municipal corporations may act as an aggregator; authorizing a community choice aggregator to act as an electricity supplier for certain purposes without obtaining a certain license; establishing a certain Community Choice Aggregator Pilot Program; <b>see Delegation webpage for full description.</b></p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>12/16/20: MoCo Economic Development Committee Meeting – FWA (2)</p> <p>1/7/21: MoCo House Delegation Meeting – FWA</p> <p>2/18/21: Economic Matters Committee Hearing</p> <p>3/3/21: Economic Matter Committee – FWA</p> <p>3/5/21: House of Delegates - 3rd Reading Passed</p> <p>3/12/21: MoCo Senate Delegation Meeting – FAV as Passed in House</p> <p>3/23/21: Finance Committee Hearing</p> <p>4/2/21: Finance Committee - FAV</p> <p>4/6/21: Senate – 3<sup>rd</sup> Reading Passed</p> <p>4/8/21: House Concurs with Senate Amendments</p> <p>4/8/21: House of Delegates – 3<sup>rd</sup> Reader Passed</p> <p>4/8/21: House of Delegates – Passed Enrolled</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 19-21</b> (Delegate Luedtke)  <b>Montgomery County – Alcoholic Beverages Licenses – Annual Fees</b></p> <p><a href="#">HB 428</a></p>	<p>MC CE:  MC CC:</p>	<p>The bill would authorize the Board of License Commissioners for Montgomery County, for a certain licensing period, to reimburse holders of certain alcoholic beverages licenses the entire amount of the annual license fee and to reimburse holders of certain other alcoholic beverages licenses a certain amount of the annual license fee; requiring the Board, for a certain licensing period, to waive the entire amount of the annual fee for certain alcoholic beverages licenses and to impose a reduced amount of the annual fee for certain other alcoholic beverages licenses; making this Act an emergency measure; providing for the termination of this Act; and generally relating to alcoholic beverages licenses in Montgomery County.</p>	<p>1/7/21: MoCo House Delegation Meeting – Accepted as Late Filed  1/15/21: MoCo House Delegation Bill Hearing  1/21/21: MoCo Economic Development Committee Meeting – FWA  1/22/21: MoCo House Delegation Meeting – FWA  2/12/21: MoCo Senate Delegation Meeting – FWA  2/19/21: Economic Matters Committee Hearing  3/12/21: Economic Matters Committee – FWA  3/18/21: House of Delegates - 3rd Reading Passed  4/2/21: Education, Health, &amp; Environmental Affairs Committee Hearing  4/8/21: Education, Health, &amp; Environmental Affairs Committee – FAV  4/8/21: Senate – 3<sup>rd</sup> Reader Passed  4/9/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 20-21</b> (Senator Waldstreicher)  <b>Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses – Property Tax Abatement</b></p> <p><a href="#">HB 571</a></p>	<p>MC CE:  MC CC:</p>	<p>The bill would authorize the governing body of Montgomery County to authorize, by law, for certain taxable years and under certain circumstances, an abatement of any overdue property tax on dwelling houses owned by disabled active duty service members, disabled veterans, or surviving spouses who qualify for a certain property tax exemption; making a conforming change; making this Act an emergency measure; and generally relating to a property tax exemption for dwelling houses owned by disabled active duty service members, disabled veterans, or surviving spouses.</p>	<p>1/22/21: MoCo House Delegation Meeting – Accepted as Late Filed  1/29/21: MoCo House Delegation Bill Hearing  2/1/21: MoCo Land Use, Transportation, &amp; Public Safety Committee Meeting – FAV  2/2/21: Ways and Means Committee Hearing  2/5/21: MoCo House Delegation Meeting – FAV  3/15/21: Ways and Means Committee – FAV  3/18/21: House of Delegates - 3rd Reading Passed  3/26/21: MoCo Senate Delegation Meeting – FAV  3/30/21: Budget and Taxation Committee Hearing  4/2/21: Budget and Taxation Committee – FAV  4/6/21: Senate – 3rd Reading Passed  4/6/21: House of Delegates – Returned Passed</p>
<p><b>MC 22-21</b> (Delegate Acevero)  <b>Montgomery County – Voting Methods</b></p> <p><a href="#">HB 767</a></p>	<p>MC CE:  MC CC:</p>	<p>The bill would authorize the Montgomery County Council to adopt, by law, a ranked choice voting method or an approval voting method for elections for certain local offices; defining “ranked choice voting” and “approval voting”; authorizing a local law adopting ranked choice voting or approval voting to provide for the ballot format, procedures for tabulating votes, and other provisions necessary to implement ranked choice voting or approval voting; and generally relating to the use of ranked choice voting or approval voting for elections for local offices in Montgomery County.</p>	<p>1/29/21: MoCo House Delegation Meeting – Accepted as Late Filed  2/5/21: MoCo House Delegation Bill Hearing  2/10/21: MoCo Education, Elections, &amp; Housing Committee Meeting – FWA  2/12/21: MoCo House Delegation Meeting – FWA  2/16/21: Ways and Means Committee Hearing</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC 23-21</b> (Senator King)  <b>Montgomery County – Stormwater Charges – Organizations Offering Agricultural Exhibitions</b></p> <p><a href="#">SB 536</a></p>	<p>MC CE:  MC CC:</p>	<p>The bill would exempt certain organizations that offer agricultural exhibitions from a certain stormwater charge established by Montgomery County; and generally relating to stormwater charges.</p>	<p>2/5/21: MoCo House Delegation Meeting – Accepted as Late Filed  2/12/21: MoCo Senate Delegation Bill Hearing – FWA  2/24/21: Education, Health, and Environmental Affairs Committee Hearing  3/19/21: Education, Health, and Environmental Affairs Committee – FWA  3/22/21: Senate – Motion to Recommit to Committee Adopted</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC/PG 100-21 (Delegate Charkoudian)</b>  <b>Washington Suburban Sanitary Commission – Video Streaming and Archiving Meetings and Late Payment Charges</b></p> <p><a href="#">HB 789</a></p>	<p>MC CE:  MC CC:  PG CE:  PG CC:  WSSC:</p>	<p>The bill would require the Washington Suburban Sanitary Commission to stream live video of the open meetings of the Commission; requiring the Commission to maintain on its website a complete and unedited archived video recording of certain live-streamed videos of the open meetings; altering the amount of a certain late payment charge imposed by the Commission for unpaid water and sewer usage charges under certain circumstances; and generally relating to the Washington Suburban Sanitary Commission.</p>	<p>12/1/20: MoCo Delegation Bill Hearing  11/19/20: PG County Delegation Bill Hearing  12/17/20: MoCo Metro Washington Area Committee Meeting – HOLD  1/5/21: MoCo Metro Washington Area Committee Meeting – FWA  1/7/21: MoCo House Delegation Meeting – FWA  1/22/21: PG County House Delegation Meeting – FAV  2/12/21: MoCo House Delegation Hearing – FWA  3/2/21: Environment and Transportation Committee Hearing  3/17/21: Environment and Transportation Committee – FAV  3/18/21: House of Delegates - 3rd Reading Passed  4/6/21: Education, Health, &amp; Environmental Affairs Committee Hearing  4/12/21: Education, Health, &amp; Environmental Affairs Committee – FAV  4/12/21: Senate – 3<sup>rd</sup> Reader Passed  4/12/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC/PG 101-21</b> (Delegates Carr, Crutchfield, Moon, Shetty, and Solomon and Senator Waldstreicher)  <b>Maryland-National Capital Park and Planning Commission – Mandatory Referral Review</b></p> <p><a href="#">HB 464</a></p>	<p>MC CE: Support</p> <p>MC CC:</p> <p>PG CE:</p> <p>PG CC:</p> <p>N-NCPPC:</p>	<p>The bill would establish that a certain referral to the Maryland-National Capital Park and Planning Commission is deemed approved under certain circumstances only if there is a complete submission that can be adequately reviewed by the Commission; requiring the Commission to notify a certain submitting entity within a certain period of time regarding whether a certain submission or amendment to a submission is complete and accepted or rejected as incomplete; <a href="#">see Delegation webpage for full description.</a></p>	<p>12/1/20: MoCo Delegation Bill Hearing</p> <p>11/19/20: PG County Delegation Bill Hearing</p> <p>12/17/20: MoCo Metro Washington Area Committee Meeting – FAV</p> <p>1/7/21: MoCo House Delegation Meeting – FAV</p> <p>1/28/21: PG Bi-County Committee Meeting – FAV</p> <p>1/29/21: PG County House Delegation Meeting – FAV</p> <p>2/12/21: MoCo House Delegation Hearing – FAV</p> <p>3/2/21: Environment and Transportation Committee Hearing</p> <p>3/18/21: Environment and Transportation Committee – FAV</p> <p>3/22/21: House of Delegates - 3rd Reading Passed</p> <p>4/6/21: Education, Health, &amp; Environmental Affairs Committee Hearing</p> <p>4/10/21: Education, Health, &amp; Environmental Affairs Committee – FAV</p> <p>4/12/21: Senate – 3<sup>rd</sup> Reader Passed</p> <p>4/12/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC/PG 102-21</b> (Chair on behalf of the WSSC)  <b>Washington Suburban Sanitary Commission – Board of Ethics – Financial Disclosure Statements – Late Fees</b>  <a href="#">HB 501</a></p>	<p>MC CE:  MC CC:  PG CE:  PG CC:  WSSC:</p>	<p>The bill would impose a certain fee on certain persons for filing certain financial disclosure statements late; setting the amount of a certain late fee; and generally relating to the Washington Suburban Sanitary Commission Board of Ethics and financial disclosure statements.</p>	<p>12/8/20: MoCo Delegation Bill Hearing  11/19/20: PG County Delegation Bill Hearing  1/21/21: PG Bi-County Committee Meeting – FAV  1/22/21: PG County House Delegation Meeting – FAV  1/25/21: MoCo Metro Washington Area Committee Meeting – FAV  1/29/21: MoCo House Delegation Meeting – FAV  2/23/21: Environment and Transportation Committee Hearing  3/17/21: Environment and Transportation Committee – FAV  3/18/21: House of Delegates - 3rd Reading Passed  3/26/21: MoCo Senate Delegation Meeting – FAV  4/6/21: Education, Health, &amp; Environmental Affairs Committee Hearing  4/12/21: Education, Health, &amp; Environmental Affairs Committee – FAV  4/12/21: Senate – 3<sup>rd</sup> Reader Passed  4/12/21: House of Delegates – Returned Passed</p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><b>MC/PG 104-21</b> (Delegate Walker)  <b>Maryland-National Capital Park and Planning Commission – Innovative Recreation Youth Program</b></p> <p><a href="#">HB 444</a></p>	<p>MC CE:</p> <p>MC CC:</p> <p>PG CE:</p> <p>PG CC:</p> <p>M-NCPPC:</p>	<p>The bill would establish an Innovative Recreation Youth Program in the Maryland-National Capital Park and Planning Commission; requiring the Commission to develop and implement the Program; providing for the purpose of the Program; authorizing certain recreational opportunities to include certain offerings; requiring the Governor, beginning and ending in certain fiscal years, to include in the annual budget bill a certain appropriation to the Program; defining a certain term; and generally relating to the Maryland-National Capital Park and Planning Commission and the Innovative Recreation Youth Program.</p>	<p>12/8/20: MoCo Delegation Bill Hearing</p> <p>11/19/20: PG County Delegation Bill Hearing</p> <p>3/12/21: PG County House Delegation Meeting – FWA</p> <p>3/15/21: MoCo Metro Washington Area Committee Meeting – FWA</p> <p>3/17/21: MoCo House Delegation Meeting – FWA</p> <p>3/19/21: Environment and Transportation Committee Hearing</p> <p>3/20/21: Environment and Transportation Committee – FAV</p> <p>3/22/21: House of Delegates - 3rd Reading Passed</p> <p>3/26/21: MoCo Senate Delegation Meeting – FAV as passed by the House Delegation</p> <p>4/6/21: Education, Health, &amp; Environmental Affairs Committee Hearing</p> <p>4/10/21: Education, Health, &amp; Environmental Affairs Committee - FAV</p> <p>4/12/21: Senate – 3<sup>rd</sup> Reader Passed</p> <p>4/12/21: House of Delegates – Returned Passed</p>

**Withdrawn Bills**

- MC 6-21** (Delegates Acevero and Carr) – **Montgomery County – Public Ethics – Payments to Elected Officials**
- MC 10-21** (Delegate Carr) – **Montgomery County – Interference with Electric Company's Vegetation Management Compliance – Exemption**
- MC 13-21** (Senator Zucker and Delegates Kaiser, Luedtke, and Queen) – **Burtonsville Crossing - Acquisition by Montgomery County**
- MC 15-21** (Delegate Fraser-Hidalgo) – **Montgomery County – Deer Management Permit Pilot Program**
- MC 21-21** (Senator Waldstreicher) – **Montgomery County – Education – School Site Council Pilot Program**
- MC/PG 103-21** (Delegate Carr) – **Public Ethics – Bicounty Commissions – Retention of Financial Disclosure Forms**
- MC/PG 106-21** (Delegate Ivey) – **Maryland-National Capital Park and Planning Commission – Prince George's County – Concrete Batching Plants – Setback Requirement**
- MC/PG 107-21** (Delegate Holmes) – **Bicounty Agencies – Prince George's County – Use and Occupancy Permits – Notice Requirements**

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

<u>Direct Aid</u>	<u>Final</u>	<u>Enacted</u>	<u>FY 2021 vs. FY 2022</u>	
	<u>FY 2021</u>	<u>FY 2022</u>	<u>chg. \$</u>	<u>chg. %</u>
Primary & Secondary Education	809,221	832,821	23,600	2.9
Libraries	3,458	3,509	51	1.5
Community Colleges	51,761	57,255	5,494	10.6
Health Formula Grant	4,223	4,256	33	0.8
Transportation *	13,559	14,527	968	7.1
<i>County Highway User Formula Funds</i>	7,381	7,923	542	7.3
<i>Municipal Highway User Formula Funds</i>	5,799	6,225	426	7.3
<i>Elderly and Handicapped</i>	379	379	-	-
Police	16,406	16,375	(31)	(0.2)
Fire and Rescue	1,995	1,995	-	-
 Total Direct Aid	 900,623	 930,738	 30,115	 3.3
 <u>Retirement Contributions</u>	 <u>FY 2021</u>	 <u>FY 2022</u>	 <u>chg. \$</u>	 <u>chg. %</u>
Board of Education	158,074	162,162	4,088	2.6
Library Employees	2,120	2,120	-	-
Community College Faculty	10,767	10,842	75	0.7
 Total Retirement Contributions	 170,961	 175,124	 4,163	 2.4

\* highway user county and municipality splits are estimated

Sources: Maryland Department of Legislative Services  
Montgomery County Office of Intergovernmental Relations

Montgomery County Office of Intergovernmental Relations  
April 12, 2021



**Montgomery County Capital Projects**  
**(Not Included in the Consolidated Transportation Program)**  
**Fiscal Year 2022**

<b>Public Schools *</b>		<b>43,803,000</b>
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Belmont Elementary School	622,000	
Cold Springs Elementary School	1,325,000	
Colonel E. Brooke Lee Middle School	13,043,000	
Eastern Middle School	1,227,000	
Forest Oak Middle School	1,255,000	
Gaithersburg Cluster Elementary School # 8	8,725,000	
Gaithersburg Middle School	4,300,000	
Judith A. Resnik Elementary School	2,300,000	
Monocacy Elementary School	1,150,000	
Montgomery Blair High School	968,000	
North Bethesda Middle School	1,005,000	
Ronald McNair Elementary School	975,000	
Spark M. Matsunaga Elementary School	1,900,000	
Thomas W. Pyle Middle School	295,000	
Twinbrook Elementary School	1,051,000	
Watkins Mill High School	2,750,000	
Unallocated, Enrollment Growth and Relocatable Classrooms Funds	912,000	
<b>Higher Education Facilities</b>		<b>13,604,000</b>
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Montgomery College - Facilities Renewal	474,000	
Montgomery College - Catherine and Isiah Leggett Math/Science Bldg.	13,130,000	
<b>Health Facilities</b>		<b>1,838,000</b>
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Cornerstone Montgomery, Inc.	457,000	
Holy Cross Health	1,092,000	
Mary's Center for Maternal and Child Care, Inc.	289,000	
<b>Housing and Community Development</b>		<b>1,500,000</b>
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National Capital Strategic Economic Development Fund	1,500,000	
<b>Public Safety</b>		<b>3,425,000</b>
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Germantown Volunteer Fire Department	3,250,000	
Olney Satellite Police Station and Community Facility	175,000	
<b>Parks, Recreation, and Land Preservation</b>		<b>20,819,000</b>
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Damascus Recreational Park	225,000	
Dolores R. Miller Park	20,000	
Fox Chapel Neighborhood Park	150,000	
Long Branch Stream Valley Signature Bridge	200,000	
Pepco Powerline Trail	10,000,000	
Pleasant View Park	250,000	
Randolph Hills Local Park	150,000	
Rockville Potomac Woods Park Playground	123,000	
South Germantown Recreation Park	150,000	
Wheaton Regional Park	200,000	
Willett Branch Greenway	550,000	
Program Open Space Funds	8,801,000	

<b>Environment</b>		<b>24,392,000</b>
Poolesville Wastewater Plant Denitrification Upgrade	6,189,000	
Sanitary Sewer Reconstruction - Cabin John Sewer Basin	3,686,000	
Sanitary Sewer Reconstruction - Northwest Branch Sewer Basin	5,279,000	
Sanitary Sewer Reconstruction - Paint Branch Sewer Basin	2,029,000	
Sanitary Sewer Reconstruction - Rock Creek Sewer Basin	2,955,000	
Sanitary Sewer Reconstruction - Sligo Creek Sewer Basin	4,254,000	
<b>Transportation</b>		<b>11,700,000</b>
Burtonsville Commuter Parking	5,000,000	
Great Seneca Highway Pedestrian Bridge	250,000	
Montgomery County Route 355 Bus Rapid Transit Project	6,000,000	
Town of Brookeville Road Improvements	200,000	
White Flint Transit Station	250,000	
<b>Other Legislative Initiatives</b>		<b>4,847,000</b>
A Wider Circle Community Service Center	50,000	
Friends House Retirement Community	200,000	
Gibson Grove	550,000	
Interfaith Works Vocational Services Center	350,000	
Islamic Community Center	250,000	
Ivymount School, Inc	450,000	
Jewish Foundation for Group Homes, Inc	150,000	
Lincoln Park Community Center	250,000	
Madison House New Day Pavilion	75,000	
Manna Food Center	150,000	
Montgomery Community Media	100,000	
Montgomery County Homeless Youth Drop-In Center	65,000	
Progress Place Gazebo	30,000	
Sandy Spring Museum	100,000	
Silver Spring Artspace	285,000	
Warrior Canine Connection	1,125,000	
YMCA of Metropolitan Washington	667,000	

**Grand Total** **125,928,000**

\* This list reflects those projects funded through the traditional program (with 100% of those funds allocated) and the Enrollment Growth and Relocatable Classroom Program. It does not reflect any allocation of \$520 million in Built To Learn revenue bonds that will be available to fund additional projects Statewide in FY 22.

\*\* FY23 Preauthorizations

Burtonsville Crossing Shopping Center	3,500,000
Montgomery College - Catherine and Isiah Leggett Math/Science Bldg.	3,939,000

