

SB0192/924164/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 192
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “manner;” in line 6.

On pages 1 and 2, strike beginning with “altering.” in line 23 on page 1 down through “distribution;” in line 1 on page 2.

On page 2, in line 14, after “regulations;” insert “requiring that the Department of Public Safety and Correctional Services provide certain information, in electronic form, to the Maryland Department of Planning and the Department of Legislative Services, on or before a certain date; requiring, for purposes of creating certain State and federal redistricting plans, the Department of Planning and the Department of Legislative Services to enter into a certain memorandum of understanding relating to certain incarcerated individuals on or before a certain date;”.

On page 3, in line 9, after “dealers;” insert “increasing a certain car dealer processing fee;”.

On page 4, strike in their entirety lines 33 through 37, inclusive.

On page 5, in line 21, strike “16-305(c)(1).”; and after line 39, insert:

“BY repealing and reenacting, with amendments,

Article - Election Law

Section 8-701(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2019 Supplement)”.

(Over)

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On page 7, after line 23, insert:

“BY repealing and reenacting, with amendments,
Article - State Government
Section 2-2A-01
Annotated Code of Maryland
(2014 Replacement Volume and 2019 Supplement)”.

On page 8, in line 2, after “13-812” insert “and 15-311.1(b)”; and after line 4, insert:

“BY repealing and reenacting, without amendments,
Article - Transportation
Section 15-311.1(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On pages 11 through 13, strike in their entirety the lines beginning with line 18 on page 11 through line 25 on page 13, inclusive.

AMENDMENT NO. 3

On pages 21 through 24, strike in their entirety the lines beginning with line 9 on page 21 through line 20 on page 24, inclusive.

AMENDMENT NO. 4

On page 27, in line 27, strike “\$68,624,905” and substitute “\$69,624,905”.

AMENDMENT NO. 5

On page 29, after line 27, insert:

“Article – Election Law

8–701.

(a) **(1)** The population count used after each decennial census for the purpose of creating the congressional districting plan used to elect the State’s Representatives in Congress:

[(1)] (I) may not include individuals who:

[(i)] 1. were incarcerated in State or federal correctional facilities, as determined by the decennial census; and

[(ii)] 2. were not residents of the State before their incarceration; and

[(2)] (II) shall count individuals incarcerated in the State or federal correctional facilities, as determined by the decennial census, at their last known residence before incarceration if the individuals were residents of the State.

(2) BEGINNING WITH THE 2020 DECENNIAL CENSUS:

(I) ON OR BEFORE OCTOBER 31 IN THE YEAR OF EACH DECENNIAL CENSUS, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL SUBMIT TO THE MARYLAND DEPARTMENT OF PLANNING AND THE DEPARTMENT OF LEGISLATIVE SERVICES THE FOLLOWING IDENTIFIABLE INFORMATION, IN ELECTRONIC FORM, FOR EACH INDIVIDUAL INCARCERATED IN A STATE CORRECTIONAL FACILITY ON APRIL 1 IN THE YEAR OF THE DECENNIAL CENSUS:

1. THE NAME OF THE INDIVIDUAL;

(Over)

2. THE ADDRESS OF THE INDIVIDUAL'S LAST KNOWN RESIDENCE;

3. THE INDIVIDUAL'S RACE OR ETHNICITY; AND

4. ANY OTHER INFORMATION NECESSARY TO FULFILL THE PURPOSES OF THIS SECTION; AND

(II) ON OR BEFORE AUGUST 1 IN THE YEAR OF EACH DECENNIAL CENSUS, THE MARYLAND DEPARTMENT OF PLANNING AND THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING, THE TERMS OF WHICH SHALL REQUIRE THE DEPARTMENT OF PLANNING AND THE DEPARTMENT OF LEGISLATIVE SERVICES TO WORK COLLABORATIVELY TO:

1. SUMMARIZE THE RESULTS OF THE GEOCODED DATA CREATED BY THE DEPARTMENT OF PLANNING AS REQUIRED UNDER COMAR 35.05.01;

2. USING THE GEOCODED DATA, IDENTIFY THE INDIVIDUALS INCARCERATED IN A STATE CORRECTIONAL FACILITY OR FEDERAL CORRECTIONAL FACILITY IN THE STATE THAT WILL BE INCLUDED IN THE ADJUSTED CENSUS DATA UNDER THIS SECTION;

3. MAKE ANY NECESSARY CHANGES TO THE DEPARTMENT OF PLANNING'S GEOCODED DATABASE;

4. JOINTLY REVIEW FOR ACCURACY ANY CHANGES TO THE CENSUS DATA BY ANY SOFTWARE VENDOR OR OTHER ENTITY; AND

5. JOINTLY CERTIFY, ON OR BEFORE MARCH 15 IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS, THE ADJUSTED CENSUS DATA TO BE USED FOR REDISTRICTING UNDER THIS SECTION.

On page 47, after line 6, insert:

“Article – State Government

2–2A–01.

(A) The population count used after each decennial census for the purpose of creating the legislative districting plan for the General Assembly:

(1) may not include individuals who:

(i) were incarcerated in State or federal correctional facilities, as determined by the decennial census; and

(ii) were not residents of the State before their incarceration; and

(2) shall count individuals incarcerated in the State or federal correctional facilities, as determined by the decennial census, at their last known residence before incarceration if the individuals were residents of the State.

(B) BEGINNING WITH THE 2020 DECENNIAL CENSUS:

(1) ON OR BEFORE OCTOBER 31 IN THE YEAR OF EACH DECENNIAL CENSUS, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

(Over)

SHALL SUBMIT TO THE MARYLAND DEPARTMENT OF PLANNING AND THE DEPARTMENT OF LEGISLATIVE SERVICES THE FOLLOWING IDENTIFIABLE INFORMATION, IN ELECTRONIC FORM, FOR EACH INDIVIDUAL INCARCERATED IN A STATE CORRECTIONAL FACILITY ON APRIL 1 IN THE YEAR OF THE DECENNIAL CENSUS:

(I) THE NAME OF THE INDIVIDUAL;

(II) THE ADDRESS OF THE INDIVIDUAL'S LAST KNOWN RESIDENCE;

(III) THE INDIVIDUAL'S RACE OR ETHNICITY; AND

(IV) ANY OTHER INFORMATION NECESSARY TO FULFILL THE PURPOSES OF THIS SECTION; AND

(2) ON OR BEFORE AUGUST 1 IN THE YEAR OF EACH DECENNIAL CENSUS, THE MARYLAND DEPARTMENT OF PLANNING AND THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING, THE TERMS OF WHICH SHALL REQUIRE THE DEPARTMENT OF PLANNING AND THE DEPARTMENT OF LEGISLATIVE SERVICES TO WORK COLLABORATIVELY TO:

(I) SUMMARIZE THE RESULTS OF THE GEOCODED DATA CREATED BY THE DEPARTMENT OF PLANNING AS REQUIRED UNDER COMAR 35.05.01;

(II) USING THE GEOCODED DATA, IDENTIFY THE INDIVIDUALS INCARCERATED IN A STATE CORRECTIONAL FACILITY OR FEDERAL

CORRECTIONAL FACILITY IN THE STATE THAT WILL BE INCLUDED IN THE
ADJUSTED CENSUS DATA UNDER THIS SECTION;

(III) MAKE ANY NECESSARY CHANGES TO THE DEPARTMENT
OF PLANNING'S GEOCODED DATABASE;

(IV) JOINTLY REVIEW FOR ACCURACY ANY CHANGES TO THE
CENSUS DATA BY ANY SOFTWARE VENDOR OR OTHER ENTITY; AND

(V) JOINTLY CERTIFY, ON OR BEFORE MARCH 15 IN THE
YEAR FOLLOWING EACH DECENNIAL CENSUS, THE ADJUSTED CENSUS DATA TO
BE USED FOR REDISTRICTING UNDER THIS SECTION."

AMENDMENT NO. 6

On page 37, in lines 21 and 22, strike "AND EACH FISCAL YEAR THEREAFTER";
and after line 25, insert:

"(III) FOR EACH STATE FISCAL YEAR THEREAFTER, THE
APPROPRIATION SHALL BE NOT LESS THAN \$35,000,000."

AMENDMENT NO. 7

On page 39, in line 23, strike "\$61,000,000" and substitute "\$0".

AMENDMENT NO. 8

On page 50, in line 3, strike "\$10,000,000" and substitute "\$12,000,000".

AMENDMENT NO. 9

On page 54, in line 23, after "(i)" insert:

“1. THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2021 A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$5,690,501.”

2.”;

in line 24, strike “2021, 2022, AND 2023” and substitute “**2022 AND 2023**”; and after line 25, insert:

“3. THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2024 A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$6,809,499.”

On page 55, in line 12, strike “2021 THROUGH 2025” and substitute “**2022 THROUGH 2026**”; and in line 14, strike “2026” and substitute “**2027**”.

On page 56, in line 8, strike “2021” and substitute “**2022**”; in line 10, strike “2025” and substitute “**2026**”; in line 12, strike “2029” and substitute “**2030**”; and in line 14, strike “2030” and substitute “**2031**”.

AMENDMENT NO. 10

On page 58, after line 10, insert:

“15-311.1.

(a) (1) In this section, “dealer processing charge” includes an amount charged by a dealer for:

- (i) The preparation of written documentation of the transaction;**
- (ii) Obtaining the title and license plates for the vehicle;**

- (iii) Obtaining a release of lien;
- (iv) Filing title documents with the Administration;
- (v) Retaining documentation and records of the transaction;
- (vi) Complying with federal or State privacy laws; or
- (vii) Other administrative services concerning the sale of the vehicle.

(2) “Dealer processing charge” does not include a charge to purchase or install tangible personal property on or in the vehicle, or to perform mechanical service on the vehicle.

(b) (1) If a dealer charges a dealer processing charge, the charge:

- (i) Shall be reasonable;
- (ii) May not exceed:
 - 1. \$200 for the period from July 1, 2011, through June 30, 2014; [and]
 - 2. \$300 [on and after] FOR THE PERIOD FROM July 1, 2014, THROUGH JUNE 30, 2020; and
 - 3. \$500 ON AND AFTER JULY 1, 2020; AND

(iii) Shall reflect dealer expenses generally incurred for the services identified in subsection (a)(1) of this section.

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(2) A dealer shall provide a written disclosure of the services included in the dealer processing charge on request by the purchaser.”.

AMENDMENT NO. 11

On page 59, in line 14, after “2021” insert “AND EACH FISCAL YEAR THEREAFTER”; in line 15, strike “\$304,825,000” and substitute “\$294,825,000”; strike in their entirety lines 16 through 20, inclusive; and in lines 21 and 24, strike “(9)” and “(10)”, respectively, and substitute “(7)” and “(8)”, respectively.

AMENDMENT NO. 12

On page 62, in line 35, strike “\$1,000,000” and substitute “\$900,000”.

AMENDMENT NO. 13

On page 63, strike in their entirety lines 4 through 8, inclusive; and in lines 9, 16, 22, 28, 33, and 37, strike “19.”, “20.”, “21.”, “22.”, “23.”, and “24.”, respectively, and substitute “18.”, “19.”, “20.”, “21.”, “22.”, and “23.”, respectively.

AMENDMENT NO. 14

On page 64, in line 3, strike “25.” and substitute “24.”; strike in their entirety lines 10 through 13, inclusive; in lines 14, 20, 25, and 27, strike “27.”, “28.”, “29.”, and “30.”, respectively, and substitute “25.”, “26.”, “27.”, and “28.”, respectively; and in line 28, strike “28 and 29” and substitute “26 and 27”.