

HOUSE BILL 1267

P1, L6

2lr2478

By: **Delegates Chisholm, Arentz, Arikan, Beitzel, Boteler, Buckel, Ghrist, Griffith, Hornberger, Krebs, Mangione, Mautz, McComas, McKay, Morgan, Reilly, Rose, Shoemaker, and Thiam**

Introduced and read first time: February 11, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State or Local Elected Officials and Governmental Entities – Face Covering**
3 **Requirements – Prohibition**

4 FOR the purpose of prohibiting a State or local elected official or governmental entity from
5 requiring an individual to wear a face covering, subject to certain exceptions; and
6 generally relating to requirements to wear face coverings.

7 BY adding to

8 Article – General Provisions

9 Section 9–101 and 9–102 to be under the new title “Title 9. Miscellaneous”

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2021 Supplement)

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

14 **Article – General Provisions**

15 **TITLE 9. MISCELLANEOUS.**

16 **9–101.**

17 **(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

19 **(B) “FACE COVERING” INCLUDES FACE MASKS, FACE SHIELDS, AND OTHER**
20 **FACE COVERINGS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (C) "GOVERNMENTAL ENTITY" MEANS:

2 (1) THE STATE;

3 (2) A COUNTY; OR

4 (3) A MUNICIPAL CORPORATION.

5 9-102.

6 (A) THIS TITLE DOES NOT APPLY TO A REQUIREMENT TO WEAR A FACE
7 COVERING:

8 (1) INTENDED TO PROTECT AN INDIVIDUAL'S EYES, FACE, OR LUNGS
9 FROM OCCUPATIONAL SAFETY HAZARDS; OR

10 (2) USED BY MEDICAL PERSONNEL OR A FIRST RESPONDER WHILE
11 TREATING PATIENTS.

12 (B) NOTWITHSTANDING ANY OTHER LAW, A STATE OR LOCAL ELECTED
13 OFFICIAL OR A GOVERNMENTAL ENTITY MAY NOT REQUIRE THAT AN INDIVIDUAL
14 WEAR A FACE COVERING, INCLUDING REQUIRING THE USE OF A FACE COVERING AS
15 A CONDITION FOR ENTRY INTO:

16 (1) A PUBLIC BUILDING;

17 (2) AN EDUCATIONAL FACILITY;

18 (3) A PLACE OF WORSHIP;

19 (4) A PLACE OF EMPLOYMENT; OR

20 (5) A COMMERCIAL OR RETAIL ESTABLISHMENT.

21 (C) IF A STATE OR LOCAL ELECTED OFFICIAL OR GOVERNMENTAL ENTITY
22 ISSUES AN OFFICIAL RECOMMENDATION THAT INDIVIDUALS WEAR FACE
23 COVERINGS, THE STATE OR LOCAL ELECTED OFFICIAL OR GOVERNMENTAL ENTITY
24 SHALL PROVIDE NOTICE THAT THE RECOMMENDATION IS NOT MANDATORY.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2022.