



MSBA Bill Report 2A - Family Law

(2024.01.23)

January 23, 2024

[MD - HB380 State Emergency Medical Services Board - Licenses and Certificates - Application Requirements](#)

Last Action: Hearing 2/06 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Delegate Jared Solomon (D)

Committee: Health and Government Operations (House)

Scheduled Hearing:

Health and Government Operations (House)

Date: February 6, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 240, Annapolis, MD

Summary:

Prohibiting the State Emergency Medical Services (EMS) Board from requiring an applicant to provide proof that the applicant is lawfully present in the United States or have a Social Security number or Individual Taxpayer Identification Number as a condition for licensure or certification; and requiring the EMS Board to require applicants for a license or certificate to disclose certain information or provide alternative documentation and record the information in the applicant's file for a certain purpose.

Cross-filed Bill: SB374

[MD - HB403 End-of-Life Option Act \(The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act\)](#)

Last Action: Text - First - End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act) (January 18, 2024)

Primary Sponsor: Delegate Terri L. Hill (D)

Committees:

Health and Government Operations (House)

Judiciary (House)

Summary:

Authorizing an individual to request aid in dying by making certain requests; establishing requirements and prohibitions governing aid in dying, including requirements related to requests for aid in dying, consulting physicians, mental health assessments, the disposal of drugs prescribed for aid in dying, health care facility policies, and the effect of aid in dying on insurance policies; authorizing a pharmacist to dispense medication for aid in dying only to certain individuals under certain circumstances; etc.

Cross-filed Bill: SB443

MD - HB406 Marriage Confidential Communication Criminal Charge

Last Action: Text - First - Marriage Confidential Communication Criminal Charge (January 18, 2024)

Primary Sponsor: Delegate Karen Simpson (D)

Committee: Judiciary (House)

Summary:

Establishing that a certain spouse is competent to disclose a confidential communication between spouses occurring during their marriage in a criminal action in which one spouse is charged with a crime against the other spouse.

Statutes Amended:

9-105 Article - Courts and Judicial Proceedings

MD - HB435 Child Support - Incarcerated Obligor

Last Action: Text - First - Child Support - Incarcerated Obligor (January 22, 2024)

Primary Sponsor: Chair, Judiciary Committee

Committee: Judiciary (House)

Summary:

Authorizing a court, if an obligor becomes incarcerated, to determine that a material change of circumstances warranting a modification of child support has occurred, provided that the party's ability to pay child support is sufficiently reduced due to the incarceration.

MD - HB482 Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation

Last Action: Text - First - Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation (January 22, 2024)

Primary Sponsor: Delegate Karen Simpson (D)

Committee: Judiciary (House)

Summary:

Authorizing the reimbursement of certain physicians, qualified health care providers, and hospitals by the Criminal Injuries Compensation Board for certain forensic examinations of and health care services provided to a victim of nonfatal strangulation without charge; and specifying that "strangulation" includes strangulation that is not related to rape, sexual offense, or sexual abuse.

Cross-filed Bill: SB398

Statutes Amended:

11-1007,

11-1102,

11-801,
11-816.1 Article - Criminal Procedure

MD - SB391 Criminal Law - Sexual Extortion, Stalking, and Revenge Porn - Statute of Limitations and In Banc Review

Last Action: Hearing 2/02 at 1:00 p.m. (January 19, 2024)

Primary Sponsor: Senator Ariana B. Kelly (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 2, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Providing that the State may institute a prosecution for sexual extortion, stalking, or revenge porn at any time; and providing that, for purposes of the Maryland Constitution, a person who commits sexual extortion, stalking, or revenge porn shall be deemed to have committed a misdemeanor whose punishment is confinement in the penitentiary and may reserve a point or question for a certain in banc review.

Statutes Amended:

3-709,

3-802,

3-809 Article - Criminal Law

5-106 Article - Courts and Judicial Proceedings

MD - SB398 Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation

Last Action: Hearing 2/01 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 1, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Authorizing the reimbursement of certain physicians, qualified health care providers, and hospitals by the Criminal Injuries Compensation Board for certain forensic examinations of and health care

services provided to a victim of nonfatal strangulation without charge; and specifying that "strangulation" includes strangulation that is not related to rape, sexual offense, or sexual abuse.

Cross-filed Bill: HB482

MD - SB438 Family Law - Fundamental Parental Rights

Last Action: Text - First - Family Law - Fundamental Parental Rights (January 22, 2024)

Primary Sponsor: Senator Justin Ready (R)

Committee: Judicial Proceedings (Senate)

Summary:

Establishing that a parent has the fundamental right to direct the upbringing, education, care, and welfare of the parent's child; and prohibiting the State or a political subdivision from infringing on a parent's fundamental right to direct the upbringing, education, care, and welfare of the parent's child unless the State or political subdivision can demonstrate by clear and convincing evidence certain factors.

Statutes Amended:

5-2B-01 through 5-2B-03 Article - Family Law

MD - SB439 Family Law - Victims of Domestic Violence Program - Certification and Grant Fund

Last Action: Text - First - Family Law - Victims of Domestic Violence Program - Certification and Grant Fund (January 22, 2024)

Primary Sponsor: Senator Sarah K. Elfreth (D)

Committees:

Budget and Taxation (Senate)

Judicial Proceedings (Senate)

Summary:

Requiring a victims of domestic violence program to be certified by the federally recognized State domestic violence coalition as a comprehensive domestic violence program; establishing the Victims of Domestic Violence Program Grant Fund as a special, nonlapsing fund in the Governor's Office of Crime Prevention, Youth, and Victim Services; requiring interest earnings of the Fund to be credited to the Fund; and requiring the Governor to include in the annual budget bill an appropriation of \$5,000,000 to the Fund.

Statutes Amended:

190.,

6-226 Article - State Finance and Procurement

4-515,

4-516 Article - Family Law

MD - SB443 End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act)

Last Action: Text - First - End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act) (January 22, 2024)

Primary Sponsor: Senator Jeff Waldstreicher (D)

Committee: Judicial Proceedings (Senate)

Summary:

Authorizing an individual to request aid in dying by making certain requests; establishing requirements and prohibitions governing aid in dying, including requirements related to requests for aid in dying, consulting physicians, mental health assessments, the disposal of drugs prescribed for aid in dying, health care facility policies, and the effect of aid in dying on insurance policies; authorizing a pharmacist to dispense medication for aid in dying only to certain individuals under certain circumstances; etc.

Cross-filed Bill: HB403

MD - SB449 Criminal Procedure Incompetency to Stand Trial Dismissal

Last Action: Text - First - Criminal Procedure Incompetency to Stand Trial Dismissal (January 22, 2024)

Primary Sponsor: Senator C. Anthony Muse (D)

Committee: Judicial Proceedings (Senate)

Summary:

Altering the time period after which a court is required to dismiss a certain charge against a defendant found incompetent to stand trial under certain circumstances; and authorizing a victim or victim's representative to petition the court to extend the time for dismissal of certain charges against a defendant found incompetent to stand trial.

Statutes Amended:

11-506,

3-107 Article - Criminal Procedure

MD - SB453 Mental Health - Emergency Evaluation and Involuntary Admission Procedures and Assisted Outpatient Treatment Programs

Last Action: Text - First - Mental Health - Emergency Evaluation and Involuntary Admission Procedures and Assisted Outpatient Treatment Programs (January 22, 2024)

Primary Sponsor: President

Committee: Finance (Senate)

Summary:

Requiring a peace officer, when the peace officer receives a petition for emergency evaluation for an individual, to transport the emergency evaluatee to a nearby emergency facility, rather than the nearest emergency facility; authorizing a psychiatric nurse practitioner to evaluate an emergency evaluatee for purposes of involuntary admission; requiring each county to establish an assisted outpatient treatment program; etc.