



TO: COLUMBIA ASSOCIATION BOARD OF DIRECTORS
FROM: SHERI FANAROFF
RE: 2019 PROPOSED LEGISLATION
DATE: FEBRUARY 1, 2019

This memo follows up on my January 4 and 17, 2019 memos. Part A provides an update on bills described in my earlier memos that were proposed by the Howard County Delegation for filing during the 2019 General Assembly Legislative Session as well as previously described County Council bills. Part B provides information on bills of interest that have been newly filed with the General Assembly. Part C sets out a table with the hearing dates for the bills.

A. UPDATE ON DELEGATION AND COUNTY COUNCIL BILLS

Ho.Co. 1-19 - Howard County Board of Education – Elected School Board

This bill provides for five members of the Board of Education to be elected by the voters of their Councilmanic districts and two members to be elected at large by the voters of the County. The delegation voted in favor of the bill on 1/23/19, and it will therefore be filed in the General Assembly.

Ho.Co. 4-19 - Howard County – Authority to Impose Fees for Use of Disposable Bags

This bill, which would allow the County to impose a fee not to exceed five cents per bag, on a retail store that provides plastic disposable bags to customers at point of sale, was discussed at the delegation’s January 30 meeting. A vote was postponed until their next meeting on February 6. CA has submitted a letter in support of the bill with a request that the amount of the fee be increased to not exceed ten rather than five cents.

Ho.Co. 5-19 - Howard County - Butterfly Building for Visual Arts Gallery and Guest Services - Design and Build \$250,000 (Revised)

This bond request has been adjusted by the Delegation from \$2 million to \$250,000 for the design of the Butterfly Building. The request is on the agenda for the delegation’s February 6 meeting. CA has submitted a letter in support of the bond request.

Ho.Co. 6-19 - Howard County - Alcoholic Beverages - Marketplace License

This bill, which would create a “marketplace” liquor license in Howard County allowing different food vendors within a facility to sell liquor under the food hall owner/operator’s license, was

discussed at the delegation's January 30 meeting. A vote was postponed until their next meeting on February 6. CA has submitted a letter in support of the bill.

Ho.Co. 12-19 - Howard County – Public Ethics – Developer Contributions

This bill, which would prohibit applicants for zoning amendments or participants in applications for comprehensive zoning plan amendments from making contributions to elected officials during the pendency of those applications and also would prohibit County Council members who received contributions within 36 months before an application was filed from voting on or participating in a proceeding on the application, was discussed at the delegation's January 30 meeting. A vote was postponed until their next meeting on February 6.

Ho.Co. 16-19 - Property Tax Credit – Elderly Individuals – Eligibility

This bill would have broadened eligibility for the property tax credit by requiring that the claimant have lived in the same county rather than the same dwelling for 40 years. This bill was withdrawn on 1/23/19.

Council Bill 4-2019

This bill, which would remove the Necessary Disturbance provision from County Code Section 16.116. Protection of wetlands, streams, and steep slopes, could prohibit CA from building and/or maintaining paths and other structures that might be in wetlands or on steep slopes. This bill is scheduled for consideration on February 4, 2019. CA has submitted a letter requesting an amendment to the bill that would exempt open space.

B. NEWLY FILED MARYLAND GENERAL ASSEMBLY BILLS

SB 280/HB 166 - Labor and Employment – Payment of Wages – Minimum Wage and Enforcement (Fight for Fifteen)

These bills would set the state minimum wage beginning on July 1, 2019 at \$11/hour with a \$1/hour increase annually until the minimum wage reaches \$15/hour effective July 1, 2023. Each year thereafter beginning on July 1, 2024, the minimum wage would increase by the average percentage growth in the Consumer Price Index. Among other categories of employees excepted from the law are camp counselors and employees under age 16 working less than 20 hours per week. The bill eliminates an existing exception that allows an employer operating a seasonal swimming pool to pay employees working at that pool 85% of the minimum wage. The estimated increase in CA's compensation costs for all employees currently paid less than \$15/hour would be \$2.2 million if the minimum wage is set at \$15/hour.

SB 316 - Vehicle Laws – Plug-In Electric Drive Vehicles – Reserved Parking Spaces

This bill would prohibit non-electric vehicles from parking in electric vehicle charging spaces, impose certain requirements with respect to signage for such parking spaces, and permit a privately owned parking facility to have a vehicle towed if parked in violation of this statute. CA has a number of electric vehicle charging spaces in its parking lots.

SB 330 - Public Buildings and Places of Public Accommodation – Diaper-Changing Facilities

This bill would require the installation in a place of public accommodation, which includes any establishment offering services and recreation, of a diaper-changing facility in at least one public restroom, or if the restrooms are divided by gender in at least one men's and one women's restroom,

if the establishment or restroom is constructed or the restroom is substantially renovated after October 1, 2019. An exception to this requirement is provided if a building inspector determines that installation of a diaper-changing facility is not feasible or would result in a failure to comply with access requirements for individuals with disabilities. This bill would impact CA to the extent that it constructs a new facility or installs a new bathroom or substantially renovates an existing bathroom after October 1, 2019.

HB 207 - Condominiums and Homeowners Associations – Amendment of Governing Documents

This bill would allow the amendment of a homeowners association’s governing documents by 60% of the lot owners, notwithstanding any provisions in the governing documents. The bill contains an exemption for homeowners associations that can issue bonds, which CA can do.

HB 220 - Prince George’s County – Condominiums and Homeowners Associations – Reserve Studies – Annual Budgets

This bill would impose certain requirements on homeowners associations to conduct reserve studies at certain intervals. At present, this bill would only apply to homeowners associations in Prince George’s County. The bill contains an exemption for homeowners associations that can issue bonds.

HB 341 - Labor & Employment – Family and Medical Leave Insurance Program – Establishment (Time to Care Act of 2019)

This bill would establish a Family and Medical Leave Insurance Program providing up to 12 weeks of benefits annually to an employee taking unpaid or partially paid leave to care for a newborn or newly adopted child or a family member with a serious health condition, or because of the employee’s serious health condition causing him/her to be unable to perform the functions of his/her job, or because of exigent circumstances arising from a family member’s military deployment. The weekly benefit amount would be a certain percentage of the employee’s average weekly wage, up to a limit of \$1,000/week during the year commencing July 1, 2021. Thereafter, the amount would increase each year by the average percentage increase in the Consumer Price Index. The Department of Unemployment Insurance would administer the Program, which would be funded beginning on January 1, 2020 by employer and employee contributions at rates to be determined in regulations to be promulgated by the Unemployment Insurance Division. It is not possible at present to calculate the potential financial impact of this legislation on CA.

HB 392 - Real Property – Condominiums and Homeowners Associations – Dispute Settlement

This bill sets out a procedure to address rule violations by property owners. The procedure would include a right for the violator to request a hearing by the board of directors at which the violator would be able to present evidence and cross-examine witnesses. The procedure also would require in all violation cases that the Board of Directors deliberate and determine whether a violation occurred and the appropriate sanction. The bill contains an exemption for CA.

C. HEARING DATES

Hearing Date – Time	Bill Number	Title	Cross-filed Bill
2/6 – 8:30 a.m.	Ho.Co. 4-19	Howard County - Authority to Impose Fees for Use of Disposable Bags	---
2/6 – 8:30 a.m.	Ho.Co. 5-19	Bond Request - Butterfly Building for Visual Arts Gallery and Guest Services - Design and Build, Ho.Co. 05-19, \$2,000,000 \$250,000 (Revised)	---
2/6 – 8:30 a.m.	Ho.Co. 6-19	Howard County – Alcoholic Beverages – Marketplace License	---
2/6 – 8:30 a.m.	Ho.Co. 12-19	Howard County - Ethics - Limit on Developer Contributions	---
2/21 – 1:00 p.m.	SB 280	Labor and Employment - Payment of Wages - Minimum Wage and Enforcement (Fight for Fifteen)	HB 166
2/13 – 12:00 p.m.	SB 316	Vehicle Laws - Plug-In Electric Drive Vehicles - Reserved Parking Spaces	---
2/14 – 12:00 p.m.	SB 330	Public Buildings and Places of Public Accommodation - Diaper-Changing Facilities	---
1/22 – 1:00 p.m.	HB 8	Business Regulation - Amusement Attractions - Maryland Rider Safety Act	---
2/8 – 12:30 p.m.	HB 166	Labor and Employment - Payment of Wages - Minimum Wage and Enforcement (Fight for Fifteen)	SB 280
2/12 – 1:00 p.m.	HB 207	Condominiums and Homeowners Associations - Amendment of Governing Documents	---
TBD	HB 220	Prince George's County - Condominiums and Homeowners Associations - Reserve Studies - Annual Budgets PG 402-19	---
2/12 – 1:00 p.m.	HB 341	Labor and Employment – Family and Medical Leave Insurance Program – Establishment (Time to Care Act of 2019)	---
2/19 – 1:00 p.m.	HB 392	Real Property - Condominiums and Homeowners Associations - Dispute Settlement	---
1/22 – 7:00 p.m.	CB 4-2019	County Council of Howard County, Maryland: Bill No. 4-2019	---