



## 2021 Maryland General Assembly Wrap-Up Report – May 2021

Public Policy Partners (PPP) was proud to represent the City of Takoma Park and support Mayor Stewart and the City Council in its efforts to influence state-level policy decisions. The 2021 Maryland General Assembly Session was unlike any before, with the bulk of the legislative work and all of the public interaction taking place virtually. The two issues that dominated policy discussions were those related to recovery from the pandemic and those addressing racial injustice in health care, law enforcement, education, and housing. PPP is pleased to provide the City of Takoma Park with this session wrap-up report for the 2021 Maryland General Assembly Session, detailing the legislative and budget outcomes of issues important to the City. Attached to this document is the bill chart used during the 90-day Session to track and inform the City of important legislation.

### The State Budget

The budget outlook in the summer of 2020 was bleak due to the economic impact of COVID-19. Governor Hogan offered numerous budget cuts to the Board of Public Works, announced his intentions for further cuts in his proposed FY 2022 budget, and the federal government had not acted on direct aid to the states. But by the end of the year, the financial picture changed significantly, with federal aid packages in the works plus a smaller reduction to state revenue than feared. Along with federal assistance through the CARES Act and ARPA, the State passed legislation with additional funding to a wide range of businesses, community services, and individuals. *Senate Bill 496 - Recovery for the Economy, Livelihoods, Industries, Entrepreneurs, and Families (RELIEF) Act* provided almost \$1 billion to items such as grants to the Capital Area Foodbank and other nonprofits, assistance to local arts programs, various service sector businesses, neighborhood revitalization programs, emergency housing assistance, and health care.

### Legislation

In the fall of 2020, the City of Takoma Park identified a number of legislative priorities and goals for the 2021 Session. Legislative topics from the City's priority list with policy action this session included:

- **Mitigating the Impacts of the Pandemic on Residents, Businesses and the City of Takoma Park**

The major areas the General Assembly addressed related to the impact of the pandemic included the funding assistance mentioned above (*SB 496*), various bills aimed at helping renters maintain housing, and initiatives to increase access to health care. The majority of the State's direct response related to testing, the provision of personal protection equipment, and other financial assistance to households and businesses were outside the direct purview of the General Assembly.

There were numerous proposals that were introduced to address racial disparities, especially those highlighted by the pandemic. There were bills PPP kept the City informed of related to health disparities, housing, and of course, public safety. In the area of housing justice, the City took action in support of bills that both attempted to provide emergency assistance to renters and landlords, and that also would make structural reforms to the eviction process which currently disproportionately impacts households of color:

- *House Bill 18/SB 154 - Landlord and Tenant - Residential Tenants - Access to Counsel* – While this bill was originally intended to provide tenants a right to counsel in eviction cases, the bill passed as one providing access to counsel, conditioned on adequate future funding. When funded, the program will provide legal representation to low income households facing eviction or a subsidy termination. A task force is created in the bill to implement the program by 2025. Importantly, the bill also establishes a 10-day pre-filing notice in Failure to Pay Rent eviction

actions. The notice requirement was the only piece included from a much more comprehensive bill intended to create an Eviction Diversion Program in District Court (*HB 52/SB 454 - Real Property - Eviction Actions - Alterations in Actions for Repossession*).

- *HB 1312/SB 910 - Landlord and Tenant - Eviction Actions - Catastrophic Health Emergencies* – This was the major piece of legislation introduced by District 20’s Senator Will Smith and Delegate Jheanelle Wilkins. The intent was to prevent the eviction tsunami expected in the coming months. The bill would have created moratorium on evictions that would include lease non-renewal cases. The bill was significantly watered down by the House, then amended in a positive way by the Senate Judicial Proceedings Committee. But because the action in the Senate was taken so late in Session, the bill died on the Senate floor.
- *HB 574 - Montgomery County Stable Homes Act* - This bill that the City has supported for several years, sponsored by Del. Wilkins and supported by the Montgomery County Delegation, would require that landlords provide a just cause for not renewing a tenant’s lease. The legislation failed.

- **Mitigating the Impacts of Climate Change**

There were a number of successful initiatives that passed the General Assembly to address climate change that the City supported. The attention climate change received during Session was greater than anticipated given the other urgent themes of pandemic relief and racial equity. Priority bills supported by the City included:

- *House Bill 768 - Montgomery County - Community Choice Energy - Pilot Program* – This bill, sponsored by District 20’s Delegate Lorig Charkoudian, establishes the Community Choice Aggregation Pilot Program and authorizes Montgomery County to create community choice aggregation of energy including net metering and community solar energy purchasing.
- *HB 80/SB 359 - Department of Transportation - Urban Tree Program - Establishment* – This bill, also sponsored by Del. Charkoudian, was introduced to replace trees removed during the construction of the Purple Line light rail project. As passed, the bill creates a statewide program wherein the Maryland Department of Transportation must develop, with input from community stakeholders, an urban tree program to replace trees that are removed during the construction of any transportation facility project, including the area impacted by the Purple Line project.
- *HB 295/SB 227 - Water Pollution - Stormwater Management Regulations and Watershed Implementation Plans - Review and Update* – This bill that passed requires the Maryland Department of the Environment to update stormwater management regulations once every five years to incorporate the most recent precipitation data.
- *HB 314/SB 223 - Plastic Bag Reduction Act* – This legislation would have created a statewide ban on the use of certain plastic bags used by retailers. As in 2020, the bill passed the House but did not get out of the Senate. The bill would have superseded Takoma Park’s local law as it explicitly prohibited stronger standards in municipalities or counties. The impact specific to the City is that it would have provided an exemption to those selling at farmers markets.
- *HB 583/SB 414 - Climate Solutions Now Act of 2021* – This was the comprehensive climate change bill that attracted more attention than anticipated. It proposed broad changes to the State’s approach to reducing statewide greenhouse gas emissions and addressing climate change. While the bill itself did not pass, there were components of it that were incorporated into other bills that did.

- **Reimagining Public Safety**

Police reform and accountability was one of the highest profile issues in 2021. There were no less than four dozen bills introduced aimed at addressing some aspect of public safety. The City of Takoma Park

specifically supported the repeal of the Law Enforcement Officers Bill of Rights (LEOBR) and greater transparency of police officers' disciplinary records. The City weighed in on several specific bills and by the end of Session, there were three major pieces of legislation that passed, were vetoed by the Governor, then had the vetoes overridden by the General Assembly. Those bills each incorporated a variety of components:

- *HB 670 - Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures* – This bill repeals LEOBR and replaces it with a civilian-driven, public-facing approach to police discipline, makes changes to police training and certification requirements, increases civil liability limits in police misconduct lawsuits, and requires reporting on use of force complaints.
- *SB 71 - Maryland Police Accountability Act of 2021 - Body-Worn Cameras, Employee Programs, and Use of Force* – This bill requires all officers that regularly interact with the public to wear body cameras, requires police departments to establish a system to identify police officers who are at risk of using excessive force and provide the appropriate responses to those risks, and creates a Maryland Use of Force Statute.
- *SB 178 - Maryland Police Accountability Act of 2021 - Search Warrants and Inspection of Records Relating to Police Misconduct (Anton's Law)* – This bill revises the processes related to the application, approval and execution of no knock warrants, and creates greater transparency of police officers' records regarding misconduct complaints.

- **Purple Line**

Along with the successful legislation mentioned above about tree replacement along the Purple Line (*HB 80/SB 359*), funding related to the Purple Line and the businesses impacted was addressed.

- *HB 114/SB 199 - Transportation - Maryland Transit Administration Funding and MARC Rail Extension Study (Transit Safety and Investment Act)* – This successful legislation requires increased operating and capital spending for the Maryland Transit Administration (MTA). It also establishes a Purple Line Construction Zone Grant Program in the Department of Commerce, funded at \$1 million in fiscal years 2023 and 2024, to assist qualified small businesses.
- *HB 588 - Budget Bill (Fiscal Year 2022)* – The FY 2022 as passed includes \$500,000 for grants to businesses impacted by the Purple Line. It also further requires the MTA to submit two reports on the solicitation for a replacement design-build contractor for the Purple Line Light Rail project and necessary modifications to the public-private partnership agreement and project structure.

- **Vision Zero**

On behalf of Takoma Park, PPP was successful in working with the City's partners in Gaithersburg and Rockville to amend Montgomery County legislation, sponsored by Delegate David Moon, to give local governments the authority to reduce speed limits on local roads.

- *HB 562 - Montgomery County - Speed Limits - Establishment* – This bill, sponsored by District 20's Delegate David Moon, authorizes Montgomery County and municipalities within the county to decrease the maximum speed limit to no less than 15 miles per hour on a highway after performing an engineering and traffic investigation.