

Submissions to the CSG Shared State Legislation Committee should be sent to staff at least eight weeks in advance of the next scheduled SSL committee meeting in order to be considered for that meeting's docket. Submissions received after this deadline will be held for a later meeting. The status of any item on this docket is listed as reported by the submitting state's legislative internet web site or by telephone from state legislative service agencies and legislative libraries. **Abstracts of the legislation on CSG SSL dockets and in CSG SSL volumes are usually compiled from bill digests and state legislative staff analysis.**

CSG COMMITTEE ON
SHARED STATE LEGISLATION

2020 CYCLE
DOCKET BOOK A

December 6th and 8th, 2018
Covington, KY

This docket and referenced legislation may be downloaded from www.csg.org/ssl.

SSL PROCESS

With the goal of sharing innovations in state policy, the CSG Shared State Legislation (SSL) Committee identifies, curates and disseminates state legislation on topics of major interest to state leaders. Committee members include two state legislators and one state legislative staff person appointed from each member jurisdiction. No private sector entities are permitted to serve on the CSG SSL Committee.

CSG SSL Committee members meet several times a year to consider legislation. The items chosen by the committee are published online at www.csg.org/ssl after every meeting and are then compiled into an annual CSG Shared State Legislation volume. The volumes are usually published in conjunction with the start of each year's state legislative sessions.

The consideration or dissemination of such legislation by the CSG SSL Committee does not constitute an endorsement nor will CSG advocate for the enactment of any such legislation in any member jurisdictions.

CSG SSL Committee members, other state officials, and their staff, CSG Associates and CSG staff may submit legislation directly to the committee. The committee also considers legislation from other sources, but only when that legislation is submitted through a state official. Other sources include public interest groups and members of the corporate community who are not CSG Associates.

It takes many bills or laws to fill the dockets of a one year-long SSL cycle. Items should be submitted to CSG at least eight weeks in advance to be considered for placement on the docket of a scheduled SSL meeting. Items submitted after that date are typically held for a later meeting.

Committee members prefer to consider legislation that has been enacted into law by at least one state. Legislation that addresses a single, specific topic is preferable to omnibus legislation that addresses a general topic or references many disparate parts of a state code. Occasionally, committee members will consider and adopt uniform or "model" legislation or an interstate compact. In this case, the committee strongly prefers to examine state legislation that enacts the uniform or model law, or interstate compact.

The CSG SSL Committee does not draft or create "model" legislation.

In order to facilitate the selection and review process on any submitted legislation, it is particularly helpful to include information on the status of the legislation, an enumeration of other states with similar provisions, and any summaries or analyses of the legislation.

Legislation and accompanying materials may be submitted to the CSG Shared State Legislation Program, The Council of State Governments, 1776 Avenue of the States, Lexington, Kentucky 40511, (859) 244-8000, fax (859) 244-8001, or ssl@csg.org.

SSL CRITERIA

(1) Does this bill:

- a) Address a current state issue of national or regional significance;
- b) Provide a benefit to bill drafters; and
- c) Provide a clear, innovative and practical structure and approach?

(2) Did this legislation become law?

The word “Act” as used herein refers to both proposed and enacted legislation. Attempts are made to ensure that items presented to the CSG SSL Committee are the most recent versions. However, interested parties should contact the originating state for the ultimate disposition of any docket entry in question, including substitute bills and amendments. Furthermore, the SSL Committee does not guarantee that entries presented on its dockets or in a *CSG Shared State Legislation* volume represent the exact versions of those items as enacted into law, if applicable.

PRESENTATION OF DOCKET ENTRIES

Docket ID#

Title

State/source

Bill/Act

Summary: [These are typically excerpted from bill digests, committee summaries, and related materials which are contained in or accompany the legislation.]

Status: [Action taken on item in source state.]

Comment: [Contains references to other bills or information about the entry and issues the members should consider in referring the entry for publication in SSL. Space may also be used to note reaction to an item, instructions to staff, etc.]

Disposition of Entry: [Action taken on item by the SSL Committee.]

SSL Committee Meeting: Year A or B

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

*Item was deferred from the previous SSL cycle

SSL DOCKET CATEGORIES - 2020A and later

1. Agriculture
2. Commerce & Labor
3. Education
4. Energy
5. Environment
6. Government
7. Health
8. Justice
9. Technology
10. Transportation

2019 SSL CYCLE
Docket 40A

ITEM NO., TITLE OF ITEM UNDER CONSIDERATION	SOURCE
(*) Indicates item is carried over from previous SSL cycle.	

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01-40A-01 Encouraging Support for Agribusiness
[SR 989](#)

Summary:

Encourages the Federal Motor Carrier Safety Administration (FMCSA) to withdraw the Electronic Logging Device (ELD) regulations on the agriculture industry and supporting agribusinesses.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

01-40A-02 Farm Labor Contractors: Sexual Harassment Prevention
[SB 295](#)

Summary:

Amends the existing law which prohibits the issuance of a farm labor contractor license unless the applicant attests in writing that certain employees have received sexual harassment prevention and reporting training. Makes it a violation for existing laws relating to farm labor contractors to fail to comply with specific existing provisions relating to the training requirements or the bill's requirement to provide the training in the language understood by the employee.

Status: Enacted

Comments: From the [Los Angeles Times](#) (Oct. 2, 2017)

Gov. Jerry Brown on Monday signed legislation to ensure farm labor contractors train employees on how to prevent and report sexual assault, a response to a 2013 PBS Frontline investigation that found sexual violence against women was a pervasive problem in California fields.

Senate Bill 295 by Sen. Bill Monning (D-Carmel) makes sexual harassment training mandatory at all businesses that supervise farm employees or provide them with lodging, transportation or other services.

The training has to be conducted or interpreted in a language that employees can understand, the law stipulates, and farm labor contractors will have to provide proof of all of their materials and resources to the Farm Labor Commission as part of the license renewal process.

Under the new law, the state labor commission also will be able to charge a \$100 civil fine for any violation of the new requirements.

The PBS Frontline investigative documentary, "Rape in the Fields, The Hidden Story of Rape on the Job in America" found more than half a million women work in U.S. fields. Most do not have legal residency in the country, and sexual harassment and violence often go unreported. A 2012 Human Rights Watch survey found 80% of 150 women in California's Central Valley had experienced some form of the abuse.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-01 Teacher Credentialing for Spouses of Active Duty Service Members
[AB 226](#)

Summary:

Requires the State Commission on Teacher Credentialing to grant or deny a completed application for a credential within 7 days if the applicant supplies the commission with evidence that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in the state and holds a valid teaching credential in another state. Exempts a fitness review.

Status: Enacted

Comments: From [Assembly member Sabrina Cervantes](#) (Jan. 26, 2017)

...The bill, Assembly Bill 226, would require the state Commission on Teacher Credentialing to give priority to applicants who are spouses of active United States Military service members...

"...AB 226 will expedite the process for military spouses in California to receive their teaching credentials in order to help them find rewarding work as teachers."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
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 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-02 Sports Betting
[AB 4111](#)

Summary:

Revises provisions relating to wagering at casinos and racetracks on certain professional and collegiate sports or athletic events; provides that the server used by a racetrack to accept wagers at a sports pool or online sports pool shall be located in that racetrack or other location in Atlantic City that conforms to specified requirements; provides for agreements for mobile gaming operations.

Status: Enacted

Comments: From the Legal Sports Report (June 11, 2018)

...Shortly after capping his pen, [Gov. Phil] Murphy released [a statement](#) to confirm what he'd just done:

Today, we're finally making the dream of legalized sports betting a reality for New Jersey. I'm thrilled to sign Assembly Bill 4111 because it means that our casinos in Atlantic City and our racetracks throughout our state can attract new business and new fans, boosting their own long-term financial prospects...

...The law, which both chambers [unanimously approved](#) last week, allows casinos and racetracks to accept in-person wagers almost immediately. Thirty days from now, they can also seek approval for online and mobile sports betting. All professional sports are fair betting fodder, as are collegiate games not involving NJ teams or venues. Books are not allowed to take action on high school games, nor on Esports and competitive video games.

Those closely associated with a sport — players, coaches, referees — may not bet on their own sport. This also applies to owners, which has a direct impact on one NJ property. Golden Nugget owner Tilman Fertitta also owns the Houston Rockets, so his property will not be allowed to book NBA action.

Casinos will pay 8.5 percent of revenue from land-based wagering and 13 percent for electronic wagers. Tracks will pay an additional 1.25 percent of revenue from electronic wagers — 14.25 percent total. In addition, all US sports bets are subject to a 0.25 percent handle tax at the federal level.

Not surprisingly, there are no [integrity fees](#) included in the NJ sports betting law...

...The NJ Division of Gaming Enforcement is now authorized to issue emergency regulations for up to 270 days. Once published, existing Atlantic City casinos will be able to apply for a transactional waiver to commence sports betting.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
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 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-03 An Act To Coordinate and Enforce Existing Workplace Training Requirements

[HP 1016](#)

Summary:

Coordinates and enforces existing workplace training requirements; provides all employers shall act to ensure a workplace free of sexual harassment by implementing the following specified requirements; provides for workplace posting, employee notification, education and training, a compliance checklist and enforcement.

Status: Enacted

Comments: From ThinkHR (June 19, 2017) On June 8, 2017, Maine Governor Paul LePage signed legislation (H.P. 1016) to coordinate and enforce existing workplace training requirements. Under the law, the Maine Human Rights Commission will provide the required sexual harassment workplace poster on its website. In addition, the law requires the Maine Department of Labor to develop a compliance checklist for employers to develop a sexual harassment training program, keep a training record of the program, and maintain records of who has completed the training. These records must be kept for three years. The law also provides enforcement and penalty provisions.

The law is effective 90 days after adjournment (approximately July 17, 2018).

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
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- ☐ Reject

Comments/Note to staff

02-40A-05 Collective Bargaining
[HB 1725](#)

Summary:

Requires collective bargaining public employees to provide written notification to the employee's exclusive representative to discontinue the employee's payroll assignments within a certain time period; requires the employee's exclusive representative to provide a copy of the notification to the employer within a certain number of business days of receipt from the employee.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-05 Concerning the Deduction of Union Dues and Fees
[HB 2751](#)

Summary:

Concerns the deduction of union dues and fees.

Status: Enacted

Comments: From the [Freedom Foundation](#) (Jan 31, 2018)

...In short, the bills provide the legal framework necessary to require government employers to automatically withhold full union dues from public employees pay without authorization, even if the Supreme Court strikes down mandatory union dues as unconstitutional in *Janus*.

...SB 6296 and HB 2751 apply the same statutory language the court relied upon in upholding the opt-out requirement in *Thorpe* to all public employees, thus paving the way for unions to be able to continue seizing money from employees' paychecks should they lose in *Janus*...

...And if SB 6296/HB 2751 become law, an employee will have dues withheld from their pay even if they refuse to sign.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-06 Public Employees Revoking Membership in Union
[HB 314](#)

Summary:

Amends the Public Employment Relations Act; revises provisions relating to employee organizations as exclusive representatives; relates to payroll deductions for dues or services fees; requires the terms of authorization to include one or more revocation periods annually.

Status: Enacted

Comments:

Staff Note:

In similar fashion to California's bill, this legislation has also been adopted in the wake of the ruling in late June on Janus v. AFSCME

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-07 Relating to the Regulation of Property Service Contractors
[HB 3279](#)

Summary:

Any person who for an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform labor for another person to provide services that include janitorial services must have a valid Property Service Contractor license. The legislation seeks to increase accountability for employers and transparency for employees. Creates a new category of labor contractor for licensing by the Oregon Bureau of Labor and Industries and requires additional training for managers, supervisors and employees.

Status: Enacted

Comments: From Oregon House Democrats Press Release

– Janitorial subcontractors in Oregon will receive additional protections from wage theft and sexual assault following the passage of House Bill 3279 today by the Oregon House of Representatives. The legislation seeks to increase accountability for employers and transparency for employees.

HB 3279 creates a new category of labor contractor for licensing by the Oregon Bureau of Labor and Industries and requires additional training for managers, supervisors and employees...

...House Bill 3279 adds to legislation passed by House Democrats this session protecting working Oregonians, including overtime rules, fair work week and pay equity.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-08 Occupational licensure for military spouses
[HB 388](#)

Summary:

Relates to the issuance of professional licenses and certificates to the spouses of active duty military personnel; names the section the Military Family Jobs Opportunity Act; requires the adoption of rules to implement the issuance of and acknowledgement of professional licenses and certificates obtained in other jurisdictions by military service members and their spouses.

Status: Enacted

Comments: From Maxwell Airforce Base Press Release (May 14, 2018)

Alabama Governor Kay Ivey signed Alabama House Bill 388 into law during the annual Governor's Outstanding Service Member Awards Luncheon held May 3, 2018, at the Maxwell Club, here.

The bill, also known as The Military Family Jobs Opportunity Act, enables military spouses with professional licenses from other states to transfer their qualifications to an Alabama license.

"What this allows is when a member of the armed services is stationed here in Alabama, if his or her spouse has a professional license, this enables that professional license to be easily transferred from the state in which it was achieved and be accepted here in Alabama," said Ivey.

42nd Air base Wing Commander Colonel Eric Shafa also attended the event.

"I just continue to applaud the efforts that this community and this state has to be able to support the military," said Shafa.

Also joining Governor Ivey were special guests State Senator Gerald Dial, State Representative Thad McClammy and Montgomery Mayor Todd Strange.

The bill applies to relocating spouses of active duty, guard and reserve service members, as well as surviving spouses of service members who, at the time of death, were serving on active duty. The bill does reserve some exceptions for specific career fields. In order for the license or certificate to be eligible for transfer, the awarding state's qualifications for the license must be substantially equivalent to those required in Alabama. In cases where qualifications are not similar, the bill authorizes temporary permits to be issued for up to 180 days, during which the holder should pursue

equivalent qualifications. Approved licenses shall be provided without licensing fees by the issuing agency or board.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-09 Municipal Police and Firefighters Arbitration
[SB 2158](#)

Summary:

Relieves municipal police and firefighter bargaining representatives from their obligation to represent employees in grievances and arbitrations if they were not members of the bargaining unit within a certain number of days prior to the events that caused the grievance.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-10 Employment
[SB 866](#)

Summary:

Revises and recasts existing law relating to requests for deductions from the salaries and wages of employee organization members. Expands certain authorizations and requirements currently applicable to the Controller and employees of the state and California State University to apply also to the Regents of the University of California, the Judicial Council, counties, cities, and other public authorities. Broadens the definition of employee organization. Relates to dues deductions authorization.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-11 Transferred Members of the Armed Forces
[SB 232](#)

Summary:

Concerns teacher permits for spouses of transferred members of the armed forces; exempts from completing the teacher education and mentoring program any person issued a military spouse teacher permit based on certain qualifications including previous certification by another state, the District of Columbia, the Commonwealth of Puerto Rico, or a United States territory or possession.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-12 Military Service Member Teacher Licensure
[SB 97](#)

Summary:

Relates to education; provides for expedited teacher licensure for military service members, spouses of military service members, and Veterans.

Status: Enacted

Comments: From the [Santa Fe New Mexican](#) (Feb 28, 2018)

....SB 97, sponsored by Bill Burt, R-Alamogordo, which is designed to expedite the process of getting New Mexico teaching licenses for members of the military and their spouses who are from out of state. "This will both allow military families to settle into the community quickly and help schools fill vacancies with quality, licensed teachers," said a statement from the governor.

From *USA Today* Network (March 1, 2018)

Gov. Susana Martinez Wednesday signed legislation that supports New Mexico's military members, veterans and their families.

"One of my priorities is protecting those who put their lives on the line for our freedom," Martinez said. "By signing these bills into law I want to recognize the hard work and dedication of all the brave men and women who serve our state and nation in the U.S. Armed Forces."...

...Senate Bill 97 ensures out-of-state teachers who are active duty military, veterans, or spouses of military personnel receive their New Mexico teaching licenses as quickly as possible. This will both allow military families to settle into the community quickly and help schools fill vacancies with quality, licensed teachers.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting

☐ next SSL cycle
☐ Reject

Comments/Note to staff

02-40A-13 Workplace Democracy Enhancement Act
[AB 3686](#)

Summary:

Amends the Workplace Democracy Enhancement Act; relates to public employees; provides a maximum amount of time for exclusive representative employee organizations to access members of a negotiations unit; allows electronic communication and signatures; provides for the authorization of payroll deductions for organization fees.

Status: Enacted

Comments: From NEJA.org (May 18, 2018)

Gov. Phil Murphy today signed the Workplace Democracy Enhancement Act, a law intended to ensure that employee organizations which are the exclusive representatives of public employees in collective negotiations are able to carry out their statutory duties by having access to and being able to communicate with the employees they represent. NJEA supported this law. The law requires public employers to provide exclusive representative employee organizations with access to members of the negotiations units. It also protects the privacy rights of public employees by specifying that that home addresses, phone numbers, email addresses, birth dates, employee negotiation units and groupings, and communications between employee organizations and their members, are not government records and are exempt from the disclosure requirements of the Open Public Records Act...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-14 Exclusive Representative Access to New Employee Program
[HB 1017](#)

Summary:

Requires the Department of Budget and Management, University System of Maryland system institutions, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College to provide certain information on certain employees to certain exclusive representatives within a specified time of a new employee's date of hire; requires certain employers to permit an exclusive representative to attend and participate in a certain new employee program.

Status: Enacted

Comments: From the [Baltimore Sun](#) (April 2, 2018)

...Two of them (HB 811/ SB819 and HB 1017/ SB677) are couched as a pre-emptive response to what many are expecting to be a blow to public sector unions from the Supreme Court...

...These two bills, which relate to state workers and teachers, respectively, are designed to help unions communicate with non-members and to market themselves to new employees by giving them regular access to the workers' contact information — including home addresses and phone numbers and, in the case of teachers, personal cell phone numbers...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-15 Condominium Association Record Keeping
[HB 841](#)

Summary:

Relates to community associations; revises condominium association record keeping and financial reporting requirements; revises provisions relating to required association bylaws; authorizes an association to adopt rules for posting certain notices on a website; provides responsibilities for unit owners who receive electronic notices.

Status: Enacted

Comments: From [Berger Singerman](#) (March 29, 2018)

...House Bill 841, which takes effect on July 1, 2018, makes various changes to Chapters 718 and 720 of the Florida Statutes relating to homeowners and condominium associations. Below are highlights of House Bill 841 and the changes the legislation makes to the laws governing homeowners associations and condominium associations.

Condominiums

- Increases the time period within which official records must be made available to condominium unit owners from 5 to 10 working days after receipt of a written request for such records.
- Adds electronic records, in addition to ballots, sign-in sheets, voting proxies, and other papers relating voting by unit owners which must be maintained for one (1) year from the date of the election, vote, or meeting to which the document relates.
- Provides additional methods and requirements for electronic notice of condominium board and member meetings, and specifies that owners that consent to receiving electronic notices are responsible for removing or bypassing filters that block receipt of mass e-mails. Notices of board and member meetings may no longer be posted on “association property”, but must be posted on condominium property. In addition, the Condominium Act now authorizes condominium associations to adopt, by rule, procedures for posting notices of meetings on the condominium association’s website in addition to the requirements for physical posting of notices.
- Limits condominium board members from serving more than 8 consecutive years unless approved by a two-thirds vote of all votes cast in the election.
- Specifically provides that a recall may be challenged based upon the facial invalidity of written agreements or ballots used to recall directors or compliance with the procedural requirements for a recall. The legislation also provides that a board member who successfully challenges a recall is entitled to prevailing party attorneys’ fees.

- Provides that a vote approving a material alteration or substantial addition to the common elements or association property must occur prior to the modifications being commenced.
- Authorizes the installation of charging stations for electric vehicles in limited common element parking spaces at the expense of the unit owner to which the parking space is assigned; condominium associations may not prohibit unit owners from installing electric vehicle charging stations within limited common element parking spaces, provided that such installations must comply with Section 718.113(8), and the installation of an electric vehicle charging station may not form the basis for filing a construction lien pursuant to Chapter 713, Florida Statutes, against the association, but the construction lien may be filed against the unit owner.
- Requires that certain documents must be permanently maintained in the official records of condominium associations from the inception of the association including plans, permits, warranties and other items provided by a developer at turnover; recorded declaration; by-laws, articles of incorporation; rules and regulations; and minute books.
- Refines condominium association fining procedures, including establishing a date by which the fine must be paid.
- Extends the time by which a condominium association must post the documentation set forth in Section 718.111(3)(g)(2) on its website from July 1, 2018 to January 1, 2019, refines the list of documents required to be posted on condominium association websites, and limits the condominium association's liability for inadvertent disclosures of protected information.
- Removes the July 1, 2018 sunset date and makes the provisions of the Distressed Condominium Relief Act permanent.

Homeowners Associations

- Authorizes board members of a homeowners association to communicate by e-mail, but not vote by e-mail.
- Clarifies that a homeowners association may provide notice of board and member meetings by electronic transmission to any owner who provides a facsimile number or e-mail address to the association to be used for such purposes, along with the required written consent to receiving notices by electronic transmission.
- Refines homeowners association fining procedures, including establishing a date by which the fine must be paid.
- Revises the format for amendments to homeowners association documents, conforming such requirements to those of the condominium Act including that a proposal to amend the governing documents of a homeowners association must contain the full text of the provision to be amended, with underlining of proposed new language and striking of proposed deleted language, unless the proposed change is so extensive and then the following notation must be included in the amendment: "Substantial rewording. See governing documents for current text." Amendments to governing documents are effective when recorded.

- Prohibits write-in nominations in homeowners association elections if an election is not required because there are either an equal number or fewer qualified candidates than vacancies exist and if nominations from the floor are not required by the by-laws or otherwise...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-16 Tax Incentives for Businesses Hiring Persons with Disabilities
[HB 2214](#)

Summary:

Relates to income tax subtractions, allows for a subtraction for eligible business access expenditures paid or incurred by a taxpayer in order to comply with the requirements of the Americans with Disabilities Act.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-17 Stay at Work and Return to Work for Disabled Workers
[RCW 51.36.010](#); [RCW 51.32.095](#); [RCW 51.32.090](#); [RCW 51.32.099](#)

Summary:

SAW/RTW programs succeed by returning injured and ill workers to productive work as soon as medically possible during their recovery process and often provide interim transition work and accommodations, as necessary. A model SAW/RTW program currently operates in the State of Washington. The SAW/RTW program includes:

- Centers of Occupational Health and Education (COHE)
- Early Return to Work (ERTW) Program
- Stay at Work Program

[Centers of Occupational Health and Education \[Most recently updated 2013\]](#)

The Washington State Department of Labor and Industries (L&I) funds the [Centers of Occupational Health and Education \(COHE\)](#), which provide early intervention and SAW/RTW services for individuals with work-related health conditions. Healthcare providers affiliated with COHE receive training in specific occupational health best practices to use with Workers' Compensation patients who are at risk of labor force separation due to their illness or injury. This includes:

- Submitting a complete Report of Accident (ROA) in two business days or less;
- Developing an activity plan, which communicates the worker's ability to participate in work activities, activity restrictions, and the provider's treatment plans;
- Communicating directly with COHE staff and employers when injured workers are off or expected to be off work; and
- Assessing the injured worker's barriers to RTW and developing a plan to overcome them.

[Early Return to Work \(ERTW\) Program \[Most recently updated 2018\]](#)

[The Early Return to Work \(ERTW\) Program](#) helps injured and ill workers return to work as soon as medically possible, thereby speeding the worker's recovery and reducing the financial impact of a workers compensation (WC) claim on the worker, the employer, and the WC system. The ERTW staff members include experts such as vocational services consultants, therapist consultants, and nurse consultants, who have been trained to know how to talk with doctors and help employers implement medically appropriate RTW options. ERTW also provides services targeted to employers. In addition, job modification funds may be available from L&I to help the employer cover 9

the costs of modifying a workstation to allow an injured worker to return to his or her original job, or if that is not possible, to alternative work within the company.

[Stay at Work \(SAW\) Program](#) [Most recently updated 2011]

[The Stay at Work Program](#) is a financial incentive program encouraging employers to bring their injured workers quickly and safely back to light-duty or transitional work by reimbursing a portion of the employer's expenses. Eligible employers may be reimbursed for 50 percent of the base wages paid to the injured worker and for some of the cost of training, tools, or clothing the worker needs to do the light-duty or transitional work. The Stay at Work Program covers some expenses. For example, if, because of the injured worker's unique needs, the employer must make a purchase so the worker can perform the light-duty or transitional work, the Stay at Work Program may pay for the following: training fees or materials (e.g., tuition, books, or supplies) up to \$1,000 per claim; tools (e.g., wrench or keyboard tray) up to \$2,500 per claim; clothing (e.g., steel-toed boots) up to \$400 per claim.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

02-40A-18 Vocational Rehabilitation under Workers Compensation Act
[HB 428](#)

Summary:

Provides that workers compensation benefits cannot be reduced if the employee is actively participating in a prescribed rehabilitation plan except in certain cases.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-01 Improving Educational Stability For Foster Youth
[HB 18-1306](#)

Summary:

The bill aligns state law with federal 'Every Student Succeeds Act' (ESSA) provisions relating to students in foster care, referred to in state statutes as 'students in out-of-home placement'. ESSA permits students in out-of-home placement at any time during the school year to remain in their school of origin, as defined in the bill, rather than move to a different school upon placement outside of the home or changes in placement, unless the county department of human or social services (county department) determines that it is not in the child's best interest to remain in his or her school of origin.

Status: Enacted

Comments: From the [Chronicle for Social Change](#) (June 13, 2018)

...As of June 1, through [H.B. 18-1306](#), Colorado became the first state in the nation to dedicate millions of dollars specifically to the educational stability of students in foster care.

With the new law, Colorado is committing \$2.8 million this fiscal year and \$3.9 million the following year to ensure that foster youth have transportation to school. The funds will also be used to create a grant program and establish a permanent coordinator in the Colorado Department of Education to help schools better serve their students who are in foster care.

The Colorado law helps the state come into compliance with the federal Every Student Succeeds Act (ESSA), which requires states to provide students in foster care with rides to their so-called "school-of-origin" – the school they attended at the time when they were taken into the state's care...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle

() Reject

Comments/Note to staff

03-40A-02 Agricultural Education Program
[SB 330](#)

Summary:

Relates to the Quality Basic Education Act; requires that the agricultural education program in this state be based on a three-component model; requires the department of education to evaluate the impact and success of the pilot program upon completion of the third year and shall report the results to The House of Committee on Education and the Senate Education and Youth Committee; implements the Professional Standards Committee extend in-field certification of agricultural education for k-12.

Status: Enacted

Comments: From the [Albany Herald](#) (Jun. 5, 2018)

For nearly 40 years, there has been a shortage of Agricultural Education teachers in Georgia. ABAC's new bachelor's program in Agricultural Education and accompanying certificate program could change that...

...Both Marcus Johnson, the Education department head at ABAC, and Mark Kistler, dean of the ABAC School of Agriculture and Natural Resources, say they believe the introduction of the new program will increase enrollment at ABAC...

...Kistler said that there are already 140 students enrolled in the degree program. This expected increase has already led to the education program being moved from Bowen Hall to the Environmental Horticulture building with plans for a renovation of that building in development...

...Johnson wrote an article for ABAC's student-led newspaper, "The Stallion," in which he explains that this method of teaching is based on three elements: daily instruction in both a classroom and lab environment, hands-on learning through a supervised agriculture experience (SAE), and participation in the Georgia FFA Association as well as the National FFA Organization, which provide leadership and educational opportunities...

...While the shortage of AgEd teachers will not be solved solely by ABAC's new program, many believe that it is a step in the right direction. And there is no doubt that demand and need for the program exists in the Tifton area and all across the state...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-03 School Code Dual-Credit
[SB 2527](#)

Summary:

Amends the School Code. Prohibits a school board from limiting the number of dual credit courses a student may enroll in or the number of credits a student may receive from dual credit courses. Provides that if a school district establishes an online learning program for students (with exceptions), the school board may not limit (i) which students may participate in the program, (ii) the number of online courses a student may enroll in, or (iii) the number of credits a student may receive from online courses.

Status: Enacted

Comments: From the [Illinois News Network](#) (Aug 19, 2018)

A new law allows Illinois high school students to take as many college credit classes as they want starting next year.

Some school districts had previously limited the number of dual-credit classes that students could take. Sen. Chuck Weaver, R-Peoria, sponsored Senate Bill 2527 to change that.

“High school students can get as many dual credit hours as they’re capable of doing while still being able to meet their normal high school coursework,” he said.

The law requires the courses be taught by instructors who meet state requirements and is worded to allow students to take them either in the classroom or online.

Weaver said the law was designed to encourage students to learn at their own pace, among other things. Plus, a big bonus is that it will help reduce their future college expenses.

“It will help motivate the kids that are able to go faster and learn more to have more opportunities on things they could be studying, but then it also helps them with regard to their college costs,” Weaver said...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A
() Include in Volume

- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-04 Students Receiving Foster Care Services
[HB 1314](#)

Summary:

Relates to students receiving foster care services; requires the Department of Education to prepare a report on foster care youth educational outcomes; requires the Department to identify each student who attends a public school and is placed in foster care; requires the Department to provide notice to a principal of a public school when either a student is placed in foster care or enrolls in the public school; makes conforming corrections.

Status: Enacted

Comments: From [Fox 59](#) (Jan. 22, 2018)

...[House Bill 1314](#) proposes a requirement for IDOE to create an annual report showing education outcomes for foster youth, a group at risk of falling behind

...
"...Right now, we have a foster child-sized crack in Indiana's education system," said Brent Kent, CEO of Indiana Connected by 25 which advocates for foster youth. "The more often they change schools, the less likely they are to graduate. They sometimes will be taking courses out of sequence. Sometimes, they'll take the same course multiple times at different schools."

Brent said HB 1314 will help the state see where foster children may be struggling academically.

"It's important we know what the data is and we build specific strategies to support our foster youth," Kent said...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-05 Student Personal Information Protection
[HF 2354](#)

Summary:

Relates to student personal information protection; relates to personally identifiable information or material, or information that is linked to personally identifiable information or material, in any media or format that is not publicly available and is Created by or provided to an operator by a student, or the student's parent or legal guardian, in the course of the student's, parent's, or legal guardian's use of the operator's site, service, or application for kindergarten through grade twelve.

Status: Enacted

Comments: From [Data Protection Report](#) (July 9, 2018)

Several U.S. states have recently introduced and passed legislation to expand data breach notification rules and to mirror some of the protections provided by Europe's newly enacted General Data Protection Regulation ("GDPR"). See our previous blog posts on GDPR [here](#) and [here](#). Like their European counterparts, these state laws are intended to provide consumers with greater transparency and control over their personal data...

Iowa ([HF 2354](#)) – Iowa passes legislation regulating online services and mobile apps for students. Iowa's law is set to take effect on July 1, 2018. The law applies to operators of internet sites, online services, online applications, or mobile applications that have actual knowledge that their site, service, or application is used primarily for kindergarten through grade twelve purposes and was designed or marketed for such purposes. The law prohibits the use of students' information for certain purposes, such as creating student profiles or selling or renting a student's information. And, it requires operators to implement and maintain security procedures and practices appropriate and consistent with industry standards and applicable state and federal laws, rules, and regulations.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

☐ Include as a Note

- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-06 Financial Literacy
[HB 132](#)

Summary:

Create a new Chapter of KRS 158 to require a financial literacy course as a high school graduation requirement; direct the KY Board of Education to promulgate administrative regulations establishing academic standards for the financial literacy course; direct the Department of Education to develop curricula, materials, and guidelines which may be used by schools for the financial literacy course.

Status: Enacted

Comments: From the [Lane Report](#) (March 22, 2018)

Kentucky public school students would have to satisfy a financial literacy requirement before they could graduate high school under a bill now on its way to the governor's desk.

The requirement under House Bill 132, sponsored by Rep. Jim DuPlessis, R-Elizabethtown, and Rep. James Tipton, R-Taylorsville, would be implemented beginning with students entering the 2020-2021 ninth-grade class.

DuPlessis said before a House floor vote on HB 132 in January that the bill would ensure that every Kentucky public high school graduate is taught how to budget, save, and invest.

"If we want to fix financial illiteracy, we must get away from the notion that it is a privilege to know how money works," DuPlessis told his House colleagues.

Coursework or programs that would meet the requirement under HB 132 would be determined by the high school's school-based decision making council or principal, according to the bill. Guidelines for the coursework or program would be developed at the state level with local programs aligned to the state standards...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

☐ Include as a Note

- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-07 School Discipline Data Collection
[HB 1254](#)

Summary:

Requires the State Department of Education to disaggregate certain data in any student discipline data report as prescribed; requires the Department to collect certain data on alternative school discipline practices.

Status: Enacted

Comments: From [Maryland Association of Boards of Education](#) (MABE)

House Bill 1254 requires the Maryland State Department of Education (MSDE) to:

- (1) disaggregate and report data on student discipline in specified manners; and
- (2) collect and report data on alternative school discipline practices.

The bill takes effect July 1, 2018.

MABE opposed this bill as introduced because it would have mandated that each local board of education adopt the Maryland Guidelines for a State Code of Discipline (Guidelines) as their code of student discipline. However, the bill was later amended without this mandate and passed. MABE did not oppose the bill as amended.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-08 Applied Baccalaureate in Manufacturing Technology
[HB 4931](#)

Summary:

Relates to the missions and focuses of institutions of higher learning; authorizes Applied Baccalaureate in Manufacturing Technology degrees; provides authorizations of such degrees only when new state General Funds are not appropriated for the operations of the degree programs.

Status: Enacted

Comments: From the [Greenville Journal](#) (Aug. 22, 2018)

...South Carolina's General Assembly passed a bill in June that was introduced by the state House of Representatives to allow technical colleges the ability to offer students an applied baccalaureate degree in advanced manufacturing technology, so long as no additional state funding is requested for the program. Previously, technical colleges were not able to offer anything past the associate degree level.

Gov. Henry McMaster...said about 20 other states allow technical colleges to offer applied bachelor's degrees.

"That is the one missing thing that we needed to be sure that we maintain our pre-eminence in the higher education of our young people," McMaster said...

...The college already offers an associate degree in manufacturing technology, but the applied bachelor's degree will allow students to receive more advanced skills over the course of four years.

"The careers have changed that we're training for. The skills that are required for technicians at the high end — the highly skilled technicians — you can't address those in just a two-year program," Miller said.

But the bill is only the first step in getting the program at Greenville Tech — the college still must get the program certified and approved by the state Technical College System board, the state Commission on Higher Education, and the Southern Association of Colleges and Schools Commission on Colleges.

"But the first critical step has occurred, and it makes it possible," Miller said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-09 State Council of Higher Education
[HB 347](#)

Summary:

Relates to the State Council of Higher Education; relates to longitudinal data; requires the data that the Council annually collects and publishes relating to the percentage of graduates of public institutions and certain nonprofit private institutions who are known to be employed in the Commonwealth; requires that the data to include the average salary and the average higher education related debt for such graduates be by degree program and level; requires links to the data to be provided on websites.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-10 Human Trafficking Prevention Education and Training Act
[AB 1227](#)

Summary:

Requires sex health education to include information about sexual abuse and human trafficking. Authorizes a school district to provide abuse, including sexual abuse, and human trafficking prevention education. Requires the availability and periodic conducting of continuation training of school district personnel relating to abuse, including sexual abuse, and human trafficking. Relates to mandated data collecting and reporting requirements.

Status: Enacted

Comments: From the [MA Chronicle](#) (Nov. 20, 2017)

A new bill, [AB-1227](#) or the Human Trafficking Prevention Education and Training Act, will amend California education requirements to include information about the risks of sexual exploitation for minors and human trafficking prevention information. California legislature mandates that all students enrolled in grades seven to twelve receive sexual health education that includes human immunodeficiency virus (HIV) prevention education and teaches students about sex trafficking, sexual assault, and abusive relationships. These are grouped together under the California Healthy Youth Act, which went into effect in January 2016 and required these courses to occur at least once in middle school and once in high school...

...AB-1227 only affects California education standards, yet it is singled out as a necessary piece of legislature by church leaders all across the globe...

...Students are taught about what trafficking is, what sexual assault is and how to deal with abusive relationships, but without the requirements laid out in AB-1227, they lack an understanding of human trafficking as a global issue, the specific risks for their demographic and ways they can avoid becoming victims. Upper middle school classes are the perfect opportunity for this information to be added to existing sexual health education. The bill also includes presentations about service work that can be done to help end human trafficking and would broaden the minds of students to think of trafficking as a human issue that requires compassion and dedicated work to combat...

...This bill would not only change education standards to include a wider range of information that would give students a clearer picture of what human trafficking is, but it would teach them how to protect themselves. Members of the state assembly who live

near the Bay Area recognize its proximity to San Francisco as a potential threat to young people who don't know the dangers of exploitation; AB-1227 would alert students of this very real danger and encourage them to work in their communities to stop its spread. As the people with the most stake in the future of our country, teenagers have the best opportunity to eradicate human trafficking in the United States today.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-11 Teacher Credentialing
[AB 2285](#)

Summary:

Eliminates a specified requirement as a condition for an out-of-state applicant to be issued a clear multiple subject, single subject, or education specialist teaching credential.

Status: Enacted

Comments: From K-12 Daily (July 25, 2018)

Educators who earned their teaching credential in another state will be able to lead a classroom by demonstrating competency, rather than having to earn another degree or participate in redundant training under a bill signed last week by Gov. Jerry Brown.

The bill, authored by Assemblyman Patrick O'Donnell, D-Long Beach, eliminates the requirement that effective educators trained in another state earn a master's degree or demonstrate 150 hours of professional development in order to earn a Clear Credential in California.

Supporters of the bill have said that by removing unnecessary barriers, California schools will be better able to recruit qualified out-of-state educators who can fill classroom vacancies.

...“The bill eliminates the need for a master’s degree or logging 150 hours of professional development - superfluous credential requirements for teachers who have already completed credentialing requirements in another state,” Carlos Machado, legislative advocate for the group, said in an email. “AB 2285 helps make more experienced teachers available to fill the record-level vacancies in our schools and will help local education agencies focus resources on improving student outcomes.”

...According to a report released last year by the Education Commission of the States, 11 states had passed legislation simplifying the process for out-of-state teachers to receive in-state credentials since the beginning of 2016. Two states—Arizona and Nevada—had gone a step further, and joined Mississippi, Florida and Missouri in adopting full reciprocity policies.

...Currently, about 30 states require out-of-state teachers to take extra coursework or training either before entering the classroom or within a certain number of years after doing so, according to the Education Commission report.

Meanwhile, about 40 states and the District of Columbia require out-of-state teachers to take assessments, close to 20 states and D.C. streamline the reciprocity process for out-of-state teachers who have advanced credentials, and nearly 30 states have special provisions for military spouses.

...Prior to its signing, the bill was supported by the Association of California School Administrators, California Charter Schools Association, California State PTA, and California Teachers Association, among other organizations.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

Education

New Jersey

03-40A-12 Teacher Certification (Introduced)
[AB 986](#)

Summary:

Simplifies the certification process for out-of-State teachers.

Status: Pending

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-13 Educator Licenses Issued to Military Spouses

[HB 1130](#)**Summary:**

Concerns increasing the availability of qualified personnel who are licensed in another state to teach in public schools; revises the types of professional teacher licenses that the Department of Education may issue a professional teacher to any applicant from another state.

Status: Enacted**Comments:** From [KRDO](#) (Feb. 16, 2018)

The bill, which is sponsored by Representative Dave Williams (R-Colorado Springs), permits a school district board of education to issue a district-authorized teaching license to an applicant who has had at least three years of in or out-of-state teaching experience within the previous seven years.

Currently, anyone wanting to teach in Colorado has to have three consecutive years of teaching experience to be eligible for a teaching permit.

"This is a good step in the right direction and I am grateful for Representative Terri Carver's help to craft a bill that can help reduce Colorado's teacher shortage," said Williams. "Effective teachers shape our children's future, and right now Colorado cannot afford to have an unnecessary policy preventing good teachers from being in the classroom."

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-14 Visiting Scholars Certificate of License to Teach
[HB 1665](#)

Summary:

Establishes a visiting scholars certificate of license to teach; provides that the initial visiting scholars certificate shall certify the holder of such certificate to teach for one year; creates policies and procedures by which a teacher who was not retained due to a reduction in force may retain the current level of certification.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-15 Jamari Terrell Williams Student Bullying Prevention Act
[HB 366](#)

Summary:

Relates to the prevention of student harassment; includes student against student harassment, intimidation, violence, and threats of violence off of school property; includes cyberbullying in the definition of harassment; changes the name of the act to the Jamari Terrell Williams Act.

Status: Enacted

Comments: From [WSFA 12 News](#) (May 21, 2018)

The Jamari Terrell Williams Student Harassment Act places certain responsibilities on the Board of education to make sure cyberbullying and bullying will not be tolerated on or off campus or online. It expands the current statute to prevent student against student harassment, intimidation, violence, and threats of violence to students off campus as well. It also specifically includes cyberbullying in the definition of harassment.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-16 Revised School Code (Introduced)
[HB 5448](#)

Summary:

Expedites issuance, renewal or reinstatement of a teaching certificate to a military spouse assigned to in state active duty.

Status: Pending

Comments: From the [Detroit Free Press](#) (Jan. 28, 2018)

Teachers would be rewarded, recruited and revered under a 22-bill package introduced in the Michigan Senate last week.

The bills would provide signing bonuses for new teachers, stipends for student teachers assigned to economically disadvantaged districts, incentives and scholarships for students to enter the teaching profession and student loan debt forgiveness...

...HB 5448: Expedite the issuance or renewal of a teaching certificate to a military spouse who is assigned to in-state active duty. Sponsor: Rep. Robert Kosowski, D-Westland.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-17 High School Graduation Requirements
[HB 577](#)

Summary:

Relates to high school graduation requirements; authorizes the use of credits earned upon completion of a registered apprenticeship or preapprenticeship to satisfy specified high school graduation credit requirements; requires that the State Board of Education approve and identify apprenticeship and preapprenticeship programs for such purpose.

Status: Enacted

Comments: From the Tampa Bay Times (Oct. 9, 2018)

...[SB 856 / HB 577](#), with a bipartisan list of sponsors including Democrat Sen. Bill Montford and Republican Rep. Byron Donalds, aims to do one simple thing. It would allow high school students to count credits earned in approved apprenticeship and pre-apprenticeship programs toward their graduation.

They could use the credit to fulfill either a fine or performing arts requirement, or as one of eight elective credits...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-18 Maintenance of Teacher Certification
[HB 586](#)

Summary:

Requires the Education Professional Standards Board to extend the validity period of a certificate of a member of the Armed Forces of the United States of America by one year for each year the member is determined by the board to have been prohibited by military service or training from pursuing an advanced degree or completing professional development required to maintain certification.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-19 Teacher Licensing by Reciprocity
[HB 80](#)

Summary:

Relates to teacher licensure by reciprocity; relates to third party verification of application documents; requires the Board of Education to permit third party verification of any documents required to be submitted by an applicant.

Status: Enacted

Comments: From the [Richmond Times-Dispatch](#) (July 20, 2018)

The law allows teachers with current out-of-state licenses to get teaching license reciprocity, the agreement between states, without having to pass additional licensing assessments.

“We wanted to streamline the process,” Landes said. “We needed to do something comprehensive and do it during this session.”

Virginia is a signatory on the NASDTEC Interstate Agreement, an agreement of all but four U.S. states to help teacher license reciprocity. The agreement doesn’t guarantee full teacher license reciprocity, something Virginia doesn’t have, but the new law addresses it.

The state still has additional coursework requirements for out-of-state teachers, with training required in child abuse and neglect, dyslexia and emergency first aid, according to [a teacher license analysis](#) by Education Commission of the States, a Denver-based think tank.

The new law also allows local school boards and superintendents to waive certain requirements for a person who has a provisional license and is employed by the school division, making it easier for those teachers to get their license...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

☐ Include as a Note

- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-20 Teacher Licensure; Spouses of Armed Forces
[SB 103](#)

Summary:

Relates to teacher licensure; relates to reciprocity; relates to spouses of Armed forces members; requires the Board of Education to provide for teacher licensure by reciprocity of a certain period for any spouse of an active duty member of the Armed Forces; requires such spouse to have obtained a valid out of state license that is in force at the time the application for such reciprocal license is received by the Department of Education.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-21 Native American Coding Program
[SB 1505](#)

Summary:

Establishes the Native American Code Writers Program; relates to computer code writing; provides that the Department of Education shall provide grants on a competitive basis for participation in the Code Writers Initiative Pilot Program; provides criteria for grantees of the Program including the delivery of a technology focused education to Native American students that will prepare them for the global economy.

Status: Enacted

Comments: From the Office of Gov. Doug Ducey

Governor Doug Ducey today signed SB 1505, providing \$500,000 in funding to continue the Native American Code Writers Initiative Pilot Program. The program will expand opportunities for Native American high school students to learn computer coding skills and provide internship opportunities with industry partners, helping students develop their skills and identify future employment opportunities. The program will be administered through a collaboration between the Arizona Department of Education and the Native American Indian Advisory Council...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-22 Certification of Teachers
[SB 2185](#)

Summary:

Would amend certain sections of the education law to reference the new council on elementary and secondary education and would make provisions to allow for certification as teachers, military personnel, and their spouses who are certified in another state. This act would take effect upon passage.

Status: Pending

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-23 Standard License to Individuals who Hold Foreign-certified Teaching Credentials

[SB 2187](#)

Summary:

Authorizes the State Department of Education to issue a standard license for teaching on a reciprocal basis to individuals who hold foreign certified teaching credentials upon presentation of documentation and appropriate evaluation of all credentials and collegiate level coursework for which credit was earned by the state department of education and a nationally recognized department approved international credential evaluation organization; authorizes the department to recognize such/.

Status: Failed

Comments: From the [Clarion Ledger](#) (May 16, 2018)

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-24 Teacher Permits for Spouses of Transferred Members of the Armed Forces

[SB 232](#)

Summary:

Concerns teacher permits for spouses of transferred members of the armed forces; exempts from completing the teacher education and mentoring program any person issued a military spouse teacher permit based on certain qualifications including previous certification by another state, the District of Columbia, the Commonwealth of Puerto Rico, or a United States territory or possession.

Status: Enacted

Comments: From [Military On Source](#)

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-25 Requirements for Teacher Certification
[SB 889](#)

Summary:

Eliminates basic skills examination among requirements for teacher certification.

Status: Enacted

Comments: From the [Crain's Detroit Business](#) (June 27, 2018)

...And the governor signed SB 889, removing the basic skills exam from the requirements to teach for more than a year as a non-certified teacher in a shortage area like computer science, foreign languages, math, biology, chemistry, engineering, physics, robotics or other such courses. He also signed HB 4069 to allow someone without a teaching certificate to serve as a substitute teacher if they have 60 hours of college credit or an associate degree.

In a statement, Snyder said the legislation "brings everyone together on the best approaches to match educational skills with available well-paying jobs."

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-26 Eases Teacher Licensing for Military Spouses
[SB 97](#)

Summary:

Relates to education; provides for expedited teacher licensure for military service members, spouses of military service members, and Veterans.

Status: Enacted

Comments: From the [Los Alamos Daily Post](#) (July 11, 2018)

...[Gov. Susana] Martinez has been committed to addressing the needs of New Mexico's service men and women and their families since taking office. In 2013 Martinez signed legislation to expedite the handling and issuance of professional licenses for military services members, their spouses, or recent veterans. Earlier this year, she signed a bill to allow military service members, their spouses and or veterans with a teaching license from another jurisdiction to apply for and receive a New Mexico teaching license.

Currently, there are more than 250,000 active occupational licensees in New Mexico, licensed by the New Mexico Regulation and Licensing Department and other state licensing bodies...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-27 Teacher Licensure; Requirements for License, Provisional License, etc.
[HB 1125](#)

Summary:

Relates to teacher licensure; makes several changes to the teacher licensure process, including allowing an individual who seeks a provisional teacher license to satisfy certain licensure requirements during such period; authorizes the Board of Education to extend, for a specified number of additional years, the provisional license of any teacher who requires additional time to satisfy the requirements for a renewable license.

Status: Enacted

Comments: From the [Virginia Association of Secondary School Principals](#) (June 18, 2018)

... HB 1125 includes reciprocity with reduced licensure requirements; that teacher education preparation programs include a 4- year bachelor's degree; licensure renewal from 5 to 10 years; extension of 3-year renewable license; alternate route to licensure for special education teachers; biennial waiver for CTE teachers; and 3-yr licenses to include part-time teachers...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-28 Student Data Protection Amendments
[SB 207](#)

Summary:

Amends provisions related to student data protection; requires the State Board of Education to share certain student data with the UT Registry of Autism and Developmental Disabilities and the State Board of Regents; relates to adult student; relates to a student that qualifies under the McKinney-Vento Homeless Education Assistance Improvements Act.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-29 Student Loan Tax Credit
[HB 593](#)

Summary:

Expands the student loan tax credit to include graduate student loan debt.

Status: Enacted

Comments: From WBAL TV11 (August 20, 2018)

Applications for the 2018 Student Loan Debt Relief Tax Credit are now being accepted, Maryland Higher Education Commission Secretary James Fielder announced Monday.

This year, both undergraduate and graduate student debt is eligible for the tax credit. The application is available for download on the [MHEC's website](#).

Successful applicants will not receive a check, but rather a tax credit on their 2018 Maryland taxes.

"This tax credit is an innovative example of how Marylanders can achieve student success with less debt," Fielder said in a statement. "As students increasingly pay off their student debt, they will see increasing opportunities to invest in their future outside of the classroom. This could mean homeownership or other investments."

The tax credit will be available to Maryland taxpayers who:

1. File Maryland state income taxes for the 2018 tax year;
2. Have incurred at least \$20,000 undergraduate and/or graduate student loan debt;
3. Have at least \$5,000 in outstanding student loan debt remaining when applying for the tax credit;
4. Have completed and submitted an application to the Maryland Higher Education Commission by Sept. 15, 2018;
5. Have submitted all required graduate and/or undergraduate student loan information, including Maryland income tax information and college transcripts; and
6. Must agree to pay the complete tax credit received into their outstanding loan balance within two years and provide a record of the payment.

Gov. Larry Hogan recently announced plans to introduce emergency legislation during the 2019 legislative session that would allow Marylanders to deduct 100 percent of the interest paid on their student loans from their income tax return.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-30 Student Loans
[SB 1351](#)

Summary:

Creates the Student Loan Servicing Rights Act; provides a student loan bill of rights that includes provisions concerning payment processing, fees, billing statements, payment histories, specialized assistance for student loan borrowers, disclosures related to discharge and cancellation, income-driven repayment plan certifications, information to be provided to private education loan borrowers, cosigner releases, requirements related to the transfer of servicing, and requests for assistance.

Status: Enacted

Comments: From [Inside Higher Ed](#) (November 9, 2017)

A student loan bill of rights will be going into effect in Illinois after the state's House of Representatives voted Tuesday night to override a veto by Governor Bruce Rauner.

The Illinois Student Loan Bill of Rights, which was drafted by the state's attorney general, is an attempt to prevent borrowers from being misled or ignored by the companies that service their loans. It will require loan servicers to properly process payments. It will also require servicers to inform borrowers that loans can be forgiven because of disabilities or problems with the college they attended, and to provide specialists who explain to borrowers all of their repayment options, like income-driven repayment plans.

Lawmakers voted 98-16 to overturn the governor's veto. The bill will go into effect at the end of December 2018, [according to](#) the state's attorney general, Democrat Lisa Madigan.

Madigan's office drafted the bill after receiving complaints that loan servicers did not tell borrowers about affordable repayment plans and that they did not follow payment instructions. She has also investigated and sued student loan servicer Navient.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

☐ Include as a Note

- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-31 Student Loan Servicing Rights Act
[HB 4397](#)

Summary:

Amends the Student Loan Servicing Rights Act; provides that a student loan servicer does not include a law firm or licensed attorney that is collecting post default debt.

Status: Enacted

Comments: From [Maurice Wutscher](#) (July 30, 2018)

On July 27, Gov. Bruce Rauner approved an amendment to Illinois' Student Loan Servicing Rights Act. The legislation, [HB 4397](#), passed unanimously in both chambers and becomes effective Dec. 31, 2018.

The legislation amends the definition of "student loan servicer" in the [Student Loan Servicing Rights Act](#) by excluding "a law firm or licensed attorney that is collecting post-default debt." The Act already excluded licensed collection agencies collecting on post-default debt.

The Student Loan Servicing Rights Act, which becomes effective on the same date, requires licensing of student loan servicers and includes a "Student Loan Bill of Rights" that imposes various restrictions and requirements intended to prevent unfair or deceptive practices or misrepresentations of material information. That legislation passed via an override of Gov. Rauner's veto.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-32 Student Loan Notification Letter
[HB 17](#)

Summary:

Requires institutions of postsecondary education to provide information annually with a notice to students regarding their education loans; alters a certain statement; prohibits institutions of postsecondary education from incurring a liability under certain circumstances; makes technical corrections.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-33 Career Planning for Student with Disabilities
[SB 647](#)

Summary:

Requires institutions of postsecondary education to provide information annually with a notice to students regarding their education loans; alters a certain statement; prohibits institutions of postsecondary education from incurring a liability under certain circumstances; makes technical corrections.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-34 Career Readiness for Student with Disabilities
[HB 2155](#)

Summary:

Relates to schools, provides certain definitions, requires the State Board of Education to adopt certain statewide system of college and career planning tools, to be known as the Individual Career and Academic Plan (ICAP), requires students entering ninth grade by certain school year to complete the ICAP, sets forth requirements to include in the ICAP, requires system to be implemented under certain schedule, provides for certain construction, provides that a student's individualized education plan is coordinated with college and career planning tools, provides for codification, provides an effective date.

Status: Enacted

Comments: From [The Edmond Sun](#) (May 10, 2017)

The governor this week signed House Bill 2155 by State Rep. Jadine Nollan and Sen. Gary Stanislawski, R-Tulsa.

The bill allows for a two-year pilot program of the Individual Career Academic Plan (ICAP). The multi-year guidance tool — developed by individual students, the student's parents or legal guardians in collaboration with their school counselors, school administrators, teachers, and other school personnel — will help students strategically plan a post-secondary pathway to align with their self-defined, career, college or life goals.

"The ICAP process will help students develop a strong vision for what they want to do in life as a career and give them a strategic pathway to successfully achieve their vision or dream," said Jadine Nollan, R-Sand Springs.

"This legislation was a request bill from the Oklahoma State Department of Education and a recommendation from the 95 member stakeholders serving on the Assessment and Accountability Task Force and also the Teaching and Learning Advisory Committee and is projected to have no fiscal impact," Nollan said.

She pointed out that Oklahoma is one of only seven states that did not have a plan like this in place.

Twenty-seven districts have already agreed to voluntarily participate in the 2017-18 school year. The goal is for ICAP to continue to expand and add districts on a voluntary basis in 2018-19. In 2019-20, ICAP would be implemented statewide. It would also serve as one of the multiple measures for graduation required by House Bill 3218 that passed last year.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-35 Inclusive Higher Education Opportunities for Students with Intellectual Disabilities
[SB 872](#)

Summary:

Provides for the establishment of an inclusive higher education competitive grant program for students with intellectual and developmental disabilities that allows for, to the greatest extent possible, the same rights, privileges, experiences, benefits, and outcomes that result from a college experience as their peer students without disabilities. To qualify for a grant under the Program, an institution of higher education shall develop a program that, among other things, offers necessary supports; ensures access to a wide array of courses, campus life, and able to use campus resources available to students without disabilities; adopt admissions standards that do not require participation in curriculum-based, achievement college entrance exams; includes the development of a meaningful credential to earn on successful completion; and meets the requirements of a comprehensive transition program under federal higher education legislation so that students enrolled in the Program are eligible for federal financial aid.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

03-40A-36 Assistive Technology for Students with Disabilities
[HB 371](#)

Summary:

Current law provides for the entering into of interagency agreements to provide a framework for ensuring that young persons with disabilities, their families, and others are informed about the utilization and coordination of assistive technology devices and services and the establishment of a mechanism by which a young person or his or her parents may request that an assistive technology device remains with the young persons as he or she moves through the continuum from home to school to postschool. In addition to moving from early intervention to preschool, from preschool to school, from one school to another, from school to employment or independent living, the bill adds the transition "from school to home and community."

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

04-40A-01 Educational Awareness Regarding Renewable Energy
[HR 620](#)

Summary:

A RESOLUTION urging local boards of education in Georgia to provide educational awareness regarding renewable energy; and for other purposes.

Status: Enacted

Comments: From [the Energy Finance Report](#) (April 22, 2015)

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

01-40A-02 Offshore Oil and Gas Revenue Sharing
[RES 4](#)

Summary:

To provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity. Urging Congress to reject any proposal to divert or otherwise reduce revenue sharing to the coastal states and their political subdivisions under the Gulf of Mexico Energy Security Act of 2006; and urging the President of the United States to direct, to the maximum extent possible, federal funds received from outer continental shelf development, and not dedicated to states or other federal programs, to federal infrastructure in the affected states.

Status: Pending

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

04-40A-03 Transformative Climate Communities Program
[AB 2722](#)

Summary:

Changes the name of the National Guard Education Assistance Award Program to the Military Department GI Bill Award Program. Provides that the award could be used to obtain one baccalaureate, graduate, or doctoral degree or a certificate, degree, or diploma that leads to a baccalaureate, graduate, or doctoral degree if the person agrees to serve a specified number of years in the National Guard, the Naval Militia, or the State Military Reserve, as specified.

Status: Enacted

Comments: From the [Streets Blog Cal](#) (Nov. 28, 2016)

One of the benefits of California's cap-and-trade program is that it produces revenue that can be invested in exploring ways of reducing greenhouse gas emissions beyond just capping them. For example, the [Affordable Housing and Sustainable Communities](#) program makes the connection between where and how people live and how they get around, which affects how much greenhouse gas they emit. As one of the few state sources of affordable housing money available, AHSC encourages developers to tie transportation in with housing at early planning stages.

In the last session, the legislature created a new program to do something similar for communities. The Transformative Climate Communities program, funded with \$140 million from cap and trade under [A.B. 2722](#), will focus on encouraging public participation and coordination among state agencies to reduce greenhouse gas emissions and "provide local economic, environmental, and health benefits to disadvantaged communities."

The money—pending approval by the Strategic Growth Council and other official channels—will likely go to Fresno (\$70 million), Los Angeles (\$35 million), and one more as-yet-unnamed location (\$35 million). The program includes smaller grants for up to ten other communities to help them prepare for future possible funding rounds.

The idea is to engage people, institutions, agencies, community groups, and other organizations to find a way to transform those communities into sustainable, equitable, connected, economically and environmentally healthy places to live, so they can serve as a model to guide future state investments.

It's one of those crazy aspirational ideas that California keeps coming up with—and keeps finding a way to succeed with.

An [early “scoping” draft of the program’s guidelines](#) was just released by the Strategic Growth Council “to provide an initial framework for public comment...”

The preliminary list of objectives for the program are to:

- Maximize greenhouse gas emissions reduction
- Build, strengthen and sustain local leadership and grassroots engagement in civic and community development
- Implement Sustainable Communities Strategies (required under [S.B. 375](#) as part of Regional Transportation Plans)
- Improve environmental, social, and health equity
- Expand economic opportunity
- Increase resilience
- Leverage funding
- Quantify and evaluate impacts

SGC staff plan to release revised draft guidelines, incorporating any comments received, in late January or early February, at which time they will also hold public workshops throughout the state.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

04-40A-04 Alternative Ratemaking for Utilities
[HB 1782](#)

Summary:

The law gives the PA Public Utility Commission (PUC) statutory authority to approve alternative ratemaking mechanisms. In 2016 the PA PUC began to look at changing utility business models and the downward impact continued growth in energy efficiency and customer owned generation is having on utility revenues. We would like to submit this law for consideration at the upcoming CSG meeting.

House Bill 1782 provides public utilities (electric, gas and water) with the option (does not require) to file for an alternative ratemaking mechanism. The bill requires public utilities to file for a mechanism through a base rate case proceeding. The bill lists specific mechanisms such as decoupling, performance-based rates, multi-year rate plans and formula rates and does allow for the PUC to consider other mechanisms not specifically listed in the legislation. The legislation also requires public utilities to provide customers with adequate notice when filing for these mechanisms with the PUC. Within 60 days of the effective date of the law, the PUC is required to issue a regulation or order implementing the provisions of the act.

Status: Enacted

Comments: From the [Energy News Network](#) (June 29, 2018):

Innovations in the way energy is generated and consumed have led Pennsylvania to become the latest state to adopt alternative ratemaking—a way for utilities to recoup costs in an environment where electricity consumption has been flatlining.

Governor Tom Wolf signed [HB 1782](#) Thursday. The bill authorizes the state's Public Utility Commission (PUC) to allow for a new range of options in crafting future rate designs.

"I support this legislation because I believe it offers the Commission new tools to encourage innovation, ensure grid reliability, and promote energy efficiency and renewable energy," Wolf said in a letter to PUC Chair Gladys Brown. "I believe the Commission is well positioned to drive this innovation and continue the commonwealth's position of leadership in restructured energy markets."

Currently, electric utilities have an incentive to push for increased usage, because that drives investments into infrastructure and a guaranteed return from regulators on those

investments. Because they're now selling less power, it creates less of an incentive to invest.

Rep. Sheryl M. Delozier, a Republican from central Pennsylvania, was the prime sponsor of the bill.

"Quite honestly, the requirement for [utilities] to earn based on usage led to a precarious position for the industry as a whole."

Alternative ratemaking mechanisms are among a slew of policies states are pursuing [in the name of modernizing the grid](#). In fact, [the PUC was already advancing its own proposal](#) to explore alternative ratemaking before Pennsylvania lawmakers approved HB 1782.

The bill provides a range of new options for utilities to offer up to regulators: including decoupling mechanisms (which break the linking between the amount of energy a utility sells and the revenue it collects to recover the fixed costs of serving customers) as well as performance, formula-based rates and multi-year rate plans, or some combination of all four.

Generally if a utility found its costs are exceeding the amount of revenue it's bringing in, it has to file a base rate case with the PUC—an involved, expensive process that can take months. Due to the regulatory lag, utilities can continue to lose money. Alternative ratemaking provides more flexibility.

Keystone Energy Efficiency Alliance Policy Director Julian Boggs called the new bill a win for energy efficiency. "It gives the Public Utility Commission much-needed authority to update utility ratemaking and give utilities an alternative to selling more energy as a way to recover the cost of investing in our grid," he said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

05-40A-01 Straw Ban
[AB 1884](#)

Summary:

Prohibits a full-service restaurant from providing single use plastic straws to consumers unless requested by the consumer. Specifies that the first and second violations of these provisions would result in a notice of violation and any subsequent violation would be an infraction punishable by a specified fine for each day the full-service restaurant is in violation.

Status: Enacted

Comments: From the Los Angeles Times (Aug. 23, 2018)

...Ban backers including the bill's author, Assemblyman Ian Calderon (D-Whittier), say oceans, rivers and other areas of the environment have been harmed by discarded plastic. Calderon noted that the California Coastal Commission has recorded roughly 835,000 straws and stirrers picked up between 1988 and 2014 during beach cleanups and other pollution reduction campaigns.

The U.S. Environmental Protection Agency estimates that Americans disposed of more than 33 million tons of plastic in 2014, most of which was not recycled. Technomic, a marketing analysis firm that watches the food service industry, recently issued a study that estimated Americans use 172 million straws each day.

"Plastic pollution continues to pose a significant threat to our oceans, our waterways and our landfills," Calderon told his colleagues Thursday. "Reducing consumer demand for plastic straws can help decrease plastic pollution."

The measure drew opposition from Republican lawmakers, including Assemblyman Matthew Harper of Huntington Beach, who said restricting straws may add more plastic to the waste stream as businesses use straw-less lids made of plastic, and paper straws that he said can come wrapped in plastic.

"This is a feel-good movement to ban straws that actually does little to clean up the environment," Harper said. "California needs to stop being the nanny state that ... tells restaurants how to run their businesses."

Some environmentalists would like to see the state go further. Calderon's bill exempts fast-food or "quick-service" restaurants where the bulk of plastic straws are provided. Blake Kopcho of the Arizona-based Center for Biological Diversity said the state should require all straws to be made of biodegradable material.

The bill was opposed in the Senate by Republicans, including Sen. Ted Gaines of Rocklin, who worried about the negative impact on businesses.

"I'm just questioning the need for the legislation, quite frankly," Gaines said during floor debate. "I think the market, given time, will come up with alternatives."

Brown generally supports environmental legislation but has not said how he will act on the straw bill.

The measure would require full-service restaurants that primarily serve food to offer plastic straws only to customers who request them. It allows restaurants to offer paper or metal straws, and permits customers to bring their own plastic straws to the restaurants.

Calderon said the plastic waste is harmful to marine animals, contaminates the human food supply and can lead to contamination of drinking water.

One study by UC Davis researchers found that 25% of the fish from markets in California and Indonesia contained plastic debris, Calderon said.

"It's critical that we reduce the negative effects of plastic pollution," the legislator said. "By removing the default behavior of providing straws with every drink, consumers have an opportunity to make a deliberate, small change that will lessen the harmful impacts of single-use plastic straws in our environment..."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

05-40A-02 PFOA Drinking Water Quality
[SB 309](#)

Summary:

This bill is concerned with standards for regulated groundwater pollution caused by polluting emissions in the air and with the standards for perfluorochemicals in drinking water, ambient groundwater and surface water. Requires the commissioner of the department of environmental services to adopt a state drinking water standard relative to perfluorochemicals; establishes a toxicologist position and a human health risk assessor position in the department of environmental services and makes an appropriation to fund the positions; establishes the criteria for setting maximum contaminant limits for public drinking water.

Status: Enacted

Comments: From the [NH Department of Environmental Services](#) (March 27, 2018)

The Honorable Chris Christensen, Chair House Resources, Recreation and Development Committee Legislative Office Building, Room 305 Concord, NH 03301 RE: SB 309, AN ACT relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water.

Dear Chairman Christensen and Members of the Committee:

Thank you for the opportunity to comment on SB 309. This bill would require the New Hampshire Department of Environmental Services (NHDES) to review the current ambient groundwater quality standards (AGQS) for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) and set an AGOS for perfluorononanoic acid (PFNA) and perfluorohexanesulfonic acid (PFHxS) by January 1, 2019. It also requires NHDES to set drinking water maximum contaminant levels (MCLs) for all four of these chemicals by January 1, 2019 and to set surface water standards for them by January 1, 2020. While NHDES has supported setting these standards in accordance with nationwide practices, provided there is sound science to base them on and there are the resources to do so, we are concerned that this bill, unlike HB 1101, does not include all these important considerations. Unless these considerations are addressed, NHDES cannot support this bill.

Specific recommendations that the committee may want to consider include:

1) NHDES has been reluctant to set MCLs for perfluorochemicals to date as we do not believe it is appropriate to set such standards using a different methodology than any other state or the USEPA. Our statute is silent on the considerations that should go into establishing an MCL, which include occurrence data, ability to reliably detect the

contaminant, ability to remove the chemical from drinking water, and costs to affected entities that will result from establishing the standard. We recommend that the language from HB 1101 on how MCLs should be established be added to this bill so that MCLs are set in accordance with the balanced and scientifically based methodology used by all other states and USEPA. With such language in place, NHDES would be well positioned to determine and propose appropriate MCLs for PFOA, PFOS, PFNA and PFHxS as well as future contaminants

2) SB 309 would require NHDES to establish surface water quality standards for PFOA, PFDS, PFNA, and PFHxS. These compounds have been detected in NH waters, and it would be helpful to have surface water standards for them. However, there is significant complexity to a state independently setting surface water standards. The process includes determining the appropriate protective value(s), which requires specialized experience in federal Clean Water Act and aquatic life risk analysis; obtaining necessary federal approvals for incorporation into USEPA permits; and analyzing the impact to affected activities such as wastewater disposal. NHDES has never set a surface water standard. Attached is a set of frequently asked questions that provide additional information on this topic. Also, we believe it was the intent of the sponsor to provide January 1, 2020 as the date to initiate rulemaking and not the date for the standard to be adopted.

3) Finally, unlike HB 1101, this bill does not specify the resources that must be available to NHDES to perform the tasks the bill requires. Specifically, NHDES will need to hire a toxicologist and health risk assessor to develop and review the drinking water and groundwater standards. In addition, funding for a contract consultant would be needed to establish the surface water standards. As discussed above, this work requires specialized knowledge and experience, and NHDES does not have this capability inhouse.

Thank you again for the opportunity to comment on this proposed legislation. If you have questions or need additional information, please contact Sarah Pillsbury, Drinking Water and Groundwater Bureau Administrator (Sarah.Pillsbury@des.nh.gov or 271-1168).

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle

() Reject

Comments/Note

05-40A-03 Low-Income Water Rate Assistance Program

[AB 401](#)**Summary:**

This bill would require the state board, no later than January 1, 2018, in collaboration with the State Board of Equalization and relevant stakeholders, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program, which would include specified elements. The bill would permit the board to consider existing rate assistance programs authorized by the commission in developing the plan and would authorize the plan to include recommendations for other cost-effective methods of aiding low-income water customers. The bill would require the state board, no later than February 1, 2018, to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action that may need to be taken.

Status: Enacted**Comments:** From the California Water Boards

...Additionally, AB 401 directs the State Water Board to report to the Legislature by February 1, 2018 on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action...

As specified in AB 401, the Plan for a [Low-Income Rate Assistance Program](#) includes:

- A description of the method for collecting moneys to support and implement the program, with a discussion of any constitutional restrictions on public water agency rate setting.
- A description of the mechanism for providing funding assistance under the program. This could include direct credits to program participants, reimbursements to water service providers, a method for verifying income eligibility of low-income ratepayers, clarification of the role of the Public Utilities Commission and water utilities in determining and verifying customer eligibility, and recommendations regarding the structure of the program.
- A description of the method to be used to determine the amount of moneys that may need to be collected from water ratepayers to fund the program.
- A set of recommendations and best practices that cover cost-savings measures and aim to ensure that water utilities are keeping rates low.

The plan may also include:

- A set of recommendations for other cost-effective methods of offering assistance to low-income water customers besides rate assistance, including billing alternatives, installation of water conservation devices, and leak repair.

- The board may consider the Public Utilities Commission's "Assessment of Water Utility Low-Income Assistance Programs."

The report to the legislature will build off the process to develop a Low-Income Water Rate Assistance Program and include findings on the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

05-40A-04 Hazardous Waste: Photovoltaic Modules
[SB 489](#)

Summary:

This bill would authorize the Department of Toxic Substances Control to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject those modules to universal waste management. The bill would authorize the department to revise the regulations as necessary. Because a violation of these regulations would be a crime, this bill would impose a state-mandated local program.

Status: Enacted**Comments:** From the [California Department of Toxic Substances Control](#)

... On October 1, 2015, [SB 489](#) (Monning, Chapter 419) was enacted to add section 25259 to Health and Safety Code, Division 20, Chapter 6.5, Article 17, which authorizes the Department to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject those modules to universal waste management...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

06-40A-01 Adopting Sanctuary Policies
[HB 2315](#)

Summary:

Relates to immigration; prohibits state and local governmental entities and officials from adopting sanctuary policies; authorizes state residents and members of the General Assembly to submit complaints to the Attorney General; provides that violations subject entities to ineligibility of state moneys; requires law enforcement agencies to enter into memorandums of agreement with federal officials concerning enforcement of federal immigration laws.

Status: Enacted

Comments: From the [Tennessean](#) (April 10, 2018)

Despite concerns that it might lead to racial profiling and run afoul of the state and U.S. Constitution, a bill that would explicitly ban sanctuary cities in Tennessee and mandate local law enforcement detain certain immigrants was given approval in a House committee Tuesday.

The legislation, HB 2315, sponsored by Rep. Jay Reedy, R-Erin, was approved by the House State Government Committee, just minutes after a sheriff told the panel the current detainer system is working.

U.S. Immigration and Customs Enforcement, or ICE, issue detainers to ask local law enforcement officials to detain immigrants for purposes of deportation.

Tennessee does not have any sanctuary cities. But opponents argue the legislation is part of a concerted effort to discriminate...

...But proponents of the legislation said it was necessary in order to avoid issues seen in other states. Rep. Tim Rudd, R-Murfreesboro, cited California as an example. Sheriffs in the Golden State have said they are not willing to fulfill the ICE detainer requests.

A significant portion of the committee's discussion Tuesday focused on whether the ICE detainers ran afoul of the 4th Amendment, which guarantees the right against unreasonable search and seizure...

...After Rep. Jason Powell, D-Nashville, tried to amend the bill to address the 4th Amendment issues, Matt Munday, the committee's legal analyst, said Reedy's legislation did raise "constitutional issues."

As the committee continued to consider the measure, Rep. Johnny Shaw, D-Bolivar, said he was convinced that no one on the committee knew what they were talking about and the panel was wasting taxpayer money.

Shaw also said he worried that the legislation could lead to racial profiling. "If this legislation passes in the form that it's in, it will give people the right to do more (profiling)," he said.

Beyond the concerns outlined Tuesday, the committee previously heard from Stephanie Teatro, co-executive director of TIRRC who said the legislation could potentially lead to legal action against local law enforcement agencies.

Teatro warned the bill was "begging for a lawsuit."

Despite the various concerns about the bill, the committee ultimately approved a slightly amended version of Reedy's legislation with a voice vote, sending it to the House finance committee.

After the committee's vote, TIRRC said in a statement the organization was concerned about the legal, practical and moral implications of the legislation...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-02 Baltimore Convention Facility - Operating Deficits and Capital Investment Reserve Fund

[HB 311](#)

Summary:

Extends the period during which the Maryland Stadium Authority and Baltimore City must contribute certain amounts to the annual operating deficits of the Baltimore Convention facility and \$200,000 each year to a capital improvement reserve fund; extends to December 31, 2029, the date after which Baltimore City is solely responsible for all operating deficits and capital improvements for the Baltimore Convention facility.

Status: First Reading Senate Rules

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-03 State Officials and Employees Ethics Act
[SB 402](#)

Summary:

Amends the Administrative Procedure Act; relates to personnel policies; requires the General Assembly to adopt policies relating to sexual harassment; establishes provisions for sexual harassment training; establishes provisions prohibiting sexual harassment; revises provisions relating to duties of the Ethics Commission; provides penalties; amends the Lobbyist Registration Act; requires lobbyist to complete sexual harassment training annually; provides for a hotline to report sexual harassment.

Status: Enacted

Comments: From [NPR Illinois](#) (November 16, 2017)

...**Senate Bill 402** [The law](#) prohibits sexual harassment by state officers and employees, makes sexual harassment training mandatory for legislators and lobbyists, and establishes a hotline for anyone in the state to report such cases via phone or website. It amends the State Officials and Employees Ethics Act, the Lobbyist Registration Act and the Illinois Human Rights Act. Anyone found in violation of the rules could be fined up to \$5,000 per offense, as well as be subjected to other disciplinary action or dismissal. These fines would be separate from any penalty decided on by the Legislative Ethics Commission. The law requires all government units to establish their own ordinance or resolution policy to prohibit sexual harassment. The sponsors are House Speaker Michael Madigan and Senate President John Cullerton...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-04 Post-Janus Legislation on Public Sector Unions
[SB 866](#)

Summary:

Revises and recasts existing law relating to requests for deductions from the salaries and wages of employee organization members. Expands certain authorizations and requirements currently applicable to the Controller and employees of the state and California State University to apply also to the Regents of the University of California, the Judicial Council, counties, cities, and other public authorities. Broadens the definition of employee organization. Relates to dues deductions authorization.

Status: Enacted

Comments: From [Weinberg Roger and Rosenfeld](#) (June 28, 2018)

SB 866 amends various provisions of the Education Code and Government Code to require public employers to honor a public employee's written authorization for deductions from his or her earnings to be transmitted to the Union. It provides:

- The employer must honor the terms of the employee's authorization. The employee can only revoke the authorization pursuant to the terms of the authorization s/he signed.
- Deductions must start the pay period after the employer receives notification of the authorization.
- Requests to authorize dues/other deduction must be directed to the Union rather than an employer. Requests to revoke or change the authorization must also be directed to the Union rather than an employer. An employer must rely on the Union's explanations regarding whether authorization/revocation/change in deductions has been requested by the employee.
- A Union need not provide an employer a copy of the employee's authorization unless a dispute arises about the existence or terms of the authorization.
- A Union must indemnify the employer for any claims made regarding such deductions.

Employer Communication About Employee's Right to Join/Support Unions:

SB 866 also added provisions regarding a public employer's communications with employees regarding their right to join or support a Union, or not do so. Specifically, SB 866 provides:

- An employer must meet and confer with the exclusive bargaining representative prior to issuing a mass communication to its employees or applicants regarding the rights of employees to join or support a Union, or not do so.
- If the parties cannot come to agreement on content of the employer's proposed mass communication, and the employer wishes to go forward with the mass

communication, the employer must include the Union's communication (of reasonable length) too, simultaneously.

AB 119 Expansion:

SB 866 also expands the current law (AB 119) that gives public sector Unions the right to participate in new employee orientations by:

- Extending coverage of AB 119 to transit employees who were previously not included.
- Prohibiting employers from disclosing the date/time/place of the new employee orientation to anyone other than employees, the exclusive bargaining representative, and a vendor who is contracted to provide a service at the new employee orientation.

SB 285 Expansion:

Finally, SB 866 extends the existing language of SB 285 to job applicants.

SB 866 prohibits a public employer from deterring or discouraging employees *or applicants* from becoming or remaining members of a Union, or from authorizing a Union to represent them or from authorizing membership status/dues deduction.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-05 Allows retired police officers to return to work during national disaster
[HB 1355](#)

Summary:

Establishes a joint committee of the general assembly, which shall be known as the Joint Committee on Disaster Preparedness and Awareness; requires the committee to make a continuous study and investigation into issues relating to disaster preparedness and awareness including, natural and man-made disasters, state and local preparedness for floods, state and local preparedness for tornadoes, blizzards, and other severe storms, food and energy resiliency and cyber-security.

Status: Enacted

Comments: From [Four States Home Page](#) (May 21, 2018)

...When it comes to a disaster, Sergeant Tim Williams with the Jasper County Sheriff's Office says there is no such thing as too much law enforcement. But with budgets the way they are, it's tough to have enough manpower on a regular basis. However Missouri House Bill 1355 could change that. Williams says if lawman can still do the job, it gives the agencies a lot of flexibility.

"We pull as many people as we have to use, so would be very handy to have an extra pool to pull from, but as far as our detention officers, we use them when we have a disaster but we still have to make sure we have enough to keep the jail functioning safely as well," says Williams.

But this bill wouldn't just help out when there are local disasters or states of emergency. Williams says Jasper County has sent officers as far away as Ferguson during the unrest there, and to Branson after a tornado in 2012. The bill would allow retired law enforcement officers and deputies to go back on the job on a temporary basis with their old department when that department enters into a mutual aid situation with another jurisdiction.

"As we discovered from the Joplin tornado there are times when you simply don't have enough people and to be able to call on those that are retired and have a world of experience is very helpful," says Keith Stammer.

The bill requires officers and deputies to keep current with firearms training and other qualification standards.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

06-40A-06 Homeless Identification Documents

[SB 196](#)**Summary:**

Waives fees to obtain certain identification documents for an individual who is verified as homeless; waives a fee that would otherwise be charged for a certified copy of a birth certificate, if the individual is confirmed by the birth certificate as the individual requesting the copy and is homeless.

Status: Enacted**Comments:** From the [Desert News Utah](#) (March 2, 2018)

A plan to waive fees for homeless people seeking a copy of their birth certificate is a step closer to reality after a House committee gave it unanimous support Friday.

[SB196](#) sponsor Sen. Allen Christensen, R-North Ogden, told the House Political Subdivisions Committee his bill waives the fee for homeless people to get a copy of their birth certificate.

Rep. Elizabeth Weight, D-West Valley City, thanked Christensen for running the bill. "When people get into homelessness, it seems like they just face one obstacle after another... and then when they encounter people who think they should help themselves out, when they don't have something like an ID card, that's just another block in the way, and it ... contributes to their helplessness and their hopelessness," Weight said.

The bill will go to the House for consideration. It passed the Senate on Wednesday.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-07 State as Model Employer of People with Disabilities

[S 1530](#)**Summary:**

The bill establishes a goal to increase by five percent the level of individuals with disabilities employed by state government by fiscal year 2023. The bill designates the Secretary of Administration to coordinate efforts to achieve the goal and requires the Secretary to establish a reporting system for tracking and reporting the progress of state agencies toward meeting the employment and contracting goals and to report annually on the number of individuals with disabilities employed by the state. The bill requires each state agency to submit a plan to increase employment opportunities for individuals with disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter.

Status: Enacted**Comments:****Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-08 State as Model Employer of People with Disabilities
[HB 7003](#)

Summary:

The bill requires state agencies to: prepare affirmative action plans for individuals with disabilities; submit an annual report regarding progress toward increasing employment at various employment levels; implement programs that incorporate internships, mentoring, on-the-job training, unpaid work experience, situational assessments, and other innovative strategies that are specifically geared toward individuals with disabilities; conduct mandatory training program for human resources personnel and hiring managers; compile data regarding hiring practices with regard to individuals with disabilities and make such data available on website; and issue forms that provide for voluntary self-identification of individuals with disabilities and are employed by an executive agency. The bill also creates the Employment First Act requiring an interagency cooperative agreement among specified state agencies and organizations to ensure a long-term commitment to improve employment for individuals who have a disability.

Status: Enacted

Comments:**Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-09 Disabled Veterans Noncompetitive Appointment
[HB 1466](#)

Summary:

Authorizes an appointing authority to select specified disabled veterans for specified positions in the State Personnel Management System using a specified selection process; requiring an appointing authority for a specified position in a unit in the Executive Branch of State government with an independent personnel system to develop a specified selection process for disabled veterans; requiring a specified appointing authority to interview specified disabled veterans under specified circumstances.

Status: Enacted

Comments:**Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-10 Mandatory Interviews of Qualified Disabled Veterans by State Agencies
[AB 309](#)

Summary:

In addition to providing preference points of veterans, widows and widowers of persons killed in the line of duty while on active duty, and widows and widowers of veterans, the legislation directs the appointing authority of a state agency to interview a veteran with a service-connected disability who is so certified and is a qualified applicant for the position.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-11 Disabled Veteran Public Employment Preference

[SF 53](#)**Summary:**

Under current law, veterans and widows of veterans receive a hiring preference in public employment and on public works based on a point system. This bill amends the preference in public employment for veterans and surviving spouses of veterans to an interview preference. The bill provides to veterans and surviving spouses of veterans an advantage of five percent when a public department uses a numerical scoring system prior to the interview process and ten percent for disabled veterans when a public department uses a numerical scoring system prior to the interview process. When a public department does not use a numerical scoring system, the advantage given to veterans and surviving spouses of veterans must reasonably approximate the five or ten percent advantage described above. The bill amends the veterans who may qualify for the advantage. Under current law, veterans are those who served for the U.S. military in a war or conflict. Under the bill, a veteran is a U.S. military service member honorably discharged.

Status: Enacted**Comments:****Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-12 State Agency Promotion of Service-Disabled Veteran-Owned
 Small Businesses
 [HB 161](#)

Summary:

Require executive branch agencies to promote and publicize opportunities for service-disabled veteran-owned businesses to contract for goods and services and actively engage and counsel veterans' organizations on contract opportunities. Agencies that use their Small Purchase Authority shall solicit at least one quote from a service-disabled veteran-owned vendor or business unless there are no service-disabled veteran-owned vendors or businesses that can provide the particular product or service in question.

Status: Enacted

Comments:**Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

06-40A-13 Revised Uniform Unclaimed Property Act
[HB 394](#)

Summary:

The Uniform Law Commission first drafted uniform state legislation on unclaimed property in 1954. It updated the act in 1966, 1981, and 1995. At least 40 states have adopted some version of the uniform act. The Revised Uniform Unclaimed Property Act (RUUPA) reflects technological advancements in unclaimed property reporting, addresses new types of potential unclaimed property, and updates provisions on life insurance benefits, securities, dormancy periods, the use of contract auditors, and more.

Status: Enacted

Comments: From Uniform Law Commission:

The Revised Uniform Unclaimed Property Act (RUUPA) is an update to the Uniform Unclaimed Property Act, which was last amended in 1995. Every state has unclaimed property laws, which apply to all businesses, nonprofit organizations, government entities, and individuals who hold property owned by other persons or have fixed obligations to pay debts due to other persons.

The key parties involved in the distribution and processing of unclaimed property are the apparent owner, holder, and administrator. The apparent owner is the person whose name appears on the records of a holder as the owner of property held, issued, or owing by the holder. The holder is the person obligated to hold for the account of, or to deliver or pay to, the owner property that is subject to the RUUPA. If the property is “abandoned” under the Act, then the holder must report the property to the administrator, the state official responsible for administering the RUUPA.

Article 2 of the RUUPA establishes rules to determine if property is abandoned. Under the Act, property is presumed abandoned if it is unclaimed by its apparent owner after a specified period of time (the dormancy period). The length of the dormancy period depends on the type of property. RUUPA establishes dormancy periods for some types of property that were not covered in previous versions of the Act, including health savings accounts, custodial accounts for minors, stored-value cards, and more. Article 2 also includes rules for how and when the holder of the property must communicate with the apparent owner.

The RUUPA clarifies that property is not presumed abandoned if the apparent owner shows an interest in the property during the dormancy period designated in the Act. Some of the ways in which an apparent owner may show interest are by a record communicated by the apparent owner to the holder about the property, payment of a premium on an insurance policy, or deposit or withdrawal from an account at a financial institution.

Article 3 of the RUUPA establishes three priority rules to determine which state may take custody of property that is presumed abandoned. The first-priority rule grants custody to the state of the last-known address of the apparent owner, according to the holder's records. If there is no record of the address of the apparent owner, or the address is in a state that does not permit the custodial taking of the property, then the property is subject to custodial taking by the state of corporate domicile of the holder. The third-priority rule permits a state administrator to take custody of the property if (1) the transaction involving the property occurred in the state; (2) the holder is domiciled in a state that does not provide for the custodial taking of the property; and (3) the last-known address of the apparent owner or other person entitled to the property is unknown or in a state that does not provide for the custodial taking of the property. Under Articles 4 and 5 of the RUUPA, the holder of property presumed abandoned must send a notice to the apparent owner identifying the property and must file a report with the administrator identifying the property. Some of the changes the RUUPA makes to the notice requirements include:

- • permitting the use of electronic notices;
- • requiring the notice to identify the property and its value, state that the property may be sold by the administrator, provide details for how to prevent the property from being delivered to the state, and establishing a deadline for when action must be taken by the owner to prevent the delivery of property to the state; and
- • providing that the holder is not required to include confidential information in the notice that can be used to verify the identity of the individual.

The RUUPA alters some of the filing requirements, also. For example, states may not require unclaimed property reports to be submitted in paper form. In addition, holders are authorized to contract with third parties to report unclaimed property to the state administrator, but the holder remains liable for the failure of the third party to submit a complete, accurate, and timely report and to deliver unclaimed property to the state. Articles 6 and 7 describe how the administrator may take custody of unclaimed property and how it may sell it. Except for securities, the RUUPA allows the administrator to sell the property three years after receipt, but it is not required to do so. Securities may be sold three or more years after the administrator receives the security and gives the apparent owner notice under Section 503. The administrator is prohibited from selling military medals or decorations awarded for military service. Instead, the administrator may deliver them to military veterans' organizations or governmental entities.

Article 8 directs the administrator to deposit all funds received under the Act into the general fund of the state, including proceeds from the sale of property under Article 7.

Article 8 also requires the administrator to maintain records of the property.

Article 9 addresses various scenarios in which the administrator of one state would need to pay or deliver unclaimed property to another state, either because there is a superior claim to the property by the other state or the property is subject to the right of another state to take custody. Section 903 discusses claims for the property by a person claiming to be the property owner. If the property has a value less than \$250, then the administrator may waive the requirement to file a claim if the person receiving the property or payment is the same person as the apparent owner, as included in the holder's report, and the administrator reasonably believes the person is entitled to receive the property or payment.

Article 10 explains how an administrator may request property reports and how an administrator may examine records to determine if a person has complied with the Act. The RUUPA requires every administrator to adopt rules governing procedures and standards for an examination. The rules must specify that an examination will be conducted in accordance with the rules and with generally accepted examination practices and standards. The RUUPA also clarifies which records are confidential and exempt from public disclosure under the Act.

The RUUPA's Article 11 gives holders the right to seek review of determinations made by the administrator concerning their liability to deliver property or payment to the state. Three options are provided for states to choose from consisting of (1) an informal conference with the administrator; (2) an administrative appeals process; and (3) a direct appeal to state court.

If the administrator's determination becomes final and is not subject to administrative or judicial review, the administrator is permitted to commence an action in court to enforce the determination and secure payment or delivery of past due, unpaid, or undelivered property. Article 12 imposes a penalty on a holder that fails to report, pay, or deliver property within the time required by the Act. Civil penalties may also apply if the holder enters into a contract to evade an obligation under the Act.

Article 13 of the RUUPA governs the enforceability of an agreement between an apparent owner and a "finder" to locate and recover property. The Act requires a signed record between the parties to designate the finder as an agent of the owner. The agent is then entitled to receive from the administrator all information concerning the property which the apparent owner would be entitled to receive, including information that would otherwise be considered confidential under the Act.

Article 14 explains what information is considered confidential under the Act. The Article describes when confidential information may be disclosed under the Act, and the steps that an administrator must take in the event of a security breach. The Act also permits a person that will be examined for compliance under the RUUPA to require all those who will have access to the person's records to sign a confidentiality agreement.

The Revised Uniform Unclaimed Property Act makes a number of updates to earlier versions of the uniform act in order to keep up with technological changes and new forms of property, as well as to clear up contested issues raised by various unclaimed property constituencies. The RUUPA offers a comprehensive set of rules for unclaimed property and should be enacted in every state.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting

☐ next SSL cycle
☐ Reject

Comments/Note to staff

07-40A-01 Prescription Drug Costs
[HB 5384](#)

Summary:

Concerns prescription drug costs; imposes additional disclosure and reporting requirements on pharmacy benefits managers, health carriers, pharmaceutical manufacturers, the Office of Health Strategy and the Insurance Department concerning prescription drug rebates and the cost of prescription drugs; provides new definitions for several terms related to the provision.

Status: Enacted

Comments: From [CT News Junkie](#) (May 4, 2018)

A [bill imposing stricter reporting requirements](#) on pharmaceutical companies and pharmacy benefit managers easily passed the House Friday by a vote of 149-0. It now moves to the Senate.

Rep. Sean Scanlon, D-Guilford, called the legislation “groundbreaking.”

“We will be the first state in the nation,” Scanlon said, to have such legislation. He said the transparency the law brings should “lead to lower drug costs for people of Connecticut” even though there’s nothing in the legislation that would explicitly do that.

Scanlon said the cost of prescription drugs is the biggest cost for families, and that Connecticut would do itself proud by being out in front on legislation that other states may replicate.

Scanlon said the law would require drug companies to justify any price increase exceeding 20 percent that a prescribed drug goes up in any year; additionally a drug company would have to justify any price increase of more than 50 percent over a three-year period.

The bill mandates that consumers get immediate relief at the pharmacy counter — paying post-rebate costs instead of a drug’s list price.

Additionally, the bill would mandate reporting from manufacturers on “pipeline” drugs awaiting Federal Drug Administration approval to allow the state and other payers to better prepare for new market entrants.

The bill would also mandate Pharmacy Benefit Managers (PBMs) registered to operate in Connecticut to disclose the total amount of rebates received from manufacturers,

including how much of the rebate the PBM retained versus how much was passed down to plan sponsors and consumers.

The bill also requires PBMs to report their administrative fees, including any other payments by the manufacturer to the PBM that are not considered rebates.

“This is a tremendous bill that finally allows people to get the answers that they deserve,” Scanlon said. “To try and get some more information and some understanding on what is driving these costs.”

“At its heart,” Scanlon continued, “it’s a piece of transparency legislation,” which he said will hopefully, down the road, slow the trend of increasing drug prices...

...The bill also had the support of AARP Connecticut and its 600,000 members...

...Opposing the legislation during the public hearing was the Pharmaceutical Care Management Association (PCMA).

“HB 5384 calls for revealing drug rebates negotiated between PBMs and manufacturers, in response to the concern that drug prices are rising and likely under the mistaken belief that this type of transparency would benefit consumers,” PCMA Vice President April Alexander said.

“Price concessions, in the form of rebates, negotiated by PBMs on behalf of plan sponsors, such as large employers, government programs, and insurers, significantly lower the cost of drugs,” Alexander testified.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-02 Medicaid Work Requirement
[SB 897](#)

Summary:

Enacts a work requirement for Medicaid recipients; provides general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; provides for compliance by this state with the social security act; provides protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; administers programs and services for the prevention and treatment of delinquency, dependency and neglect of children.

Status: Enacted

Comments: From [Michigan Live](#) (Jun. 6, 2018)

...Senate Bill 897 requires able-bodied recipients of the Healthy Michigan Medicaid plan, roughly 670,000 Michiganders, to work 80 hours per month. It provides exemptions for people including pregnant mothers, people with disabilities, caretakers of disabled dependents, caretakers of children under age 6 and individuals who have a medical condition that results in a work limitation.

Rep. Abdullah Hammoud, D-Dearborn...said Republicans, by requiring people to work, could hinder that kind of achievement. Not everybody, he said, can be forced to pull themselves up by their bootstraps...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-03 Relates to the Appointment of a Standby Guardian Due to Administrative Separation
[AB 7899A](#)

Summary:

Relates to the appointment of a standby guardian due to administrative separation; defines administrative separation and the process for such appointment.

Status: Enacted

Comments: From [Newsday](#) (June 27, 2018)

Immigrant New Yorkers can now designate who would be responsible for their children in case the parent or other caregivers are detained for suspected illegal immigration, under legislation signed Wednesday by Gov. Andrew M. Cuomo.

The bill — 7899 in the State Assembly and 6217 in the State Senate — amends the existing Surrogate's Court Procedure Act, which has long granted parents the right to choose a guardian upon death, incapacitation or disability.

Cuomo said the change, which takes effect immediately, was made necessary because of a since-rescinded White House policy that separated migrant parents and children trying to cross the border into the United States illegally...

...In New York, a parent will be able to download from the state's Office of Children and Family Services website a form to be printed and notarized and given to the would-be guardian, Cuomo spokesman Tyrone Stevens said. The form should be updated by Thursday to cover immigration, Stevens said...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-04 Prescription Drug Importation Program
[HB 163](#)

Summary:

Requires the Department of Health to design a wholesale Canadian prescription drug importation program; requires the Department apply for approval of the program by the federal Department of Health and Human Services; directs the Department to implement the program if approved or study how to obtain approval if denied; describes the requirements for the program; requires manufacturers to provide price increase information; makes certain anticompetitive acts illegal.

Status: Failed

Comments: From [Deseret News](#) (Feb. 18, 2018)

...[HB163](#) would create a program and reporting requirements for importing prescription drugs. The bill also would require pharmaceutical manufacturers to provide the state with pricing for prescription drugs, and modify the Utah Antitrust Act to make certain anti-competitive activities illegal...

...After taking out a provision that would require transparency from pharmaceutical companies about price hikes and [a heated debate](#), the House passed an amended version of HB163 that would begin a process for Utah to import cheaper prescription drugs from Canada.

The Utah House voted 39-31, passing HB163 by a slim majority. The bill now moves to the Senate for that body's consideration.

There is already a provision in [U.S. code](#) specifically for proposals to import wholesale pharmaceutical drugs from Canada. It requires a state to draft and submit a plan to the secretary of Health and Human Services for approval...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting

☐ next SSL cycle
☐ Reject

Comments/Note to staff

07-40A-05 Health Care Professionals Loan Repayment Program
[HB 916](#)

Summary:

Appropriates funds to the department of health to fund the HI rural health care provider loan repayment program administered through the John A. Burns school of medicine to provide loan repayment for physicians, physician assistants, and nurse practitioners who agree to work in a federally-designated health professional shortage area or an area of HI found to be underserved.

Status: Enacted

Comments: From [The Maui News](#) (April 23, 2017)

A state House-Senate conference committee has recommended final passage of a bill that would budget \$250,000 in state money to help fund a physician student loan repayment program for doctors who practice in underserved areas in Hawaii, Big Island Sen. Josh Green said Friday.

Calling House Bill 916 a “bellwether piece of legislation” of “major significance,” Green said it would get matching federal money for two years, making it \$500,000 a year, or \$1 million over two years.

Green, the former chairman of the Senate Health Committee, has called Hawaii’s doctor shortage, especially on the Neighbor Islands, a “crisis,” and he estimated that the funding would help pay student loans for 20 primary care doctors, those most in need in the islands.

“I’m really happy that this is happening,” he said. On the Neighbor Islands, the shortage of doctors is “very, very bad.”

A University of Hawaii report submitted late last year to state lawmakers said that while the shortage of doctors statewide had improved, it had worsened on the Neighbor Islands.

Green said that the Big Island shortage of doctors is 30 percent worse than Maui’s and 50 percent worse than the state’s.

“Maui’s shortage is bad, and the Big Island’s is really bad,” he said.

Patients on the Big Island often need to wait two or three months just to get an appointment to see a doctor, Green said.

The UH report said Maui County, with its estimated population of 165,386, needs nearly 402 doctors but has only 300, a shortage of 102, or 25.4 percent. Two years earlier, Maui's physician shortage was at 21 percent.

And, what's even more worrisome is that retirement age is approaching for 31 percent of Hawaii's physician workforce, who are now between 55 and 65 years old, according to the Hawaii's Physician Workforce Assessment. Within 10 years, 52 percent of doctors in the islands will be 65 years old or older, it says.

Dr. Kelley Withy, director of the John A. Burns School of Medicine Area Health Education Center, leads the school's annual effort to assess Hawaii's doctor workforce.

On Friday, she said she was "excited" about the passage of House Bill 916, although it still needs to pass floor votes of both chambers and get signed into law by Gov. David Ige.

"It's taken five years to pass," she said.

State funding would allow the continuation of the Hawaii's State Loan Repayment plan, which was established and funded through a grant from the federal government and from other sources in Hawaii, including Hawaii Medical Service Association, The Queen's Medical Center, Maui Memorial Medical Center and the Lanai Community Hospital.

In testimony to lawmakers, Withy and Dr. Jerris Hedges, dean of the UH medical school, warned that the repayment program started in 2012 would end without state funding because Hawaii would not be able to reapply for a federal grant.

Currently, the program pays for educational debt for primary care and behavioral health physicians, nurse practitioners, physician assistants, psychologists, social workers, licensed professional counselors, marriage and family therapists and certified nurse midwives who work for nonprofit organizations in areas with doctor shortages in Hawaii. (A Senate version of the bill renamed the program to the Hawaii's Rural Health Care Provider Loan Repayment program and deleted references to psychologists, social workers, licensed professional counselors and marriage and family therapists.)

The repayment program has helped 25 health care providers since it was launched five years ago, with two-thirds of recipients remaining to practice in Hawaii underserved areas, Withy and Hedges said.

Sixty-four percent of UH medical school residents and fellows have student loan burdens, they said. The average student indebtedness is \$235,000, with some residents having debt from \$300,000 to \$600,000.

“These loans, with average minimum monthly payments of \$500, begin repayment while in residency training, in addition to the high cost of living, rent and other expenses,” they said. “The high cost of college and medical education results in large student loan debt, which detracts from physicians choosing primary care specialties and choosing to practice in underserved rural communities.”

Program participants receive at least \$25,000 a year in loan repayment funding for practicing at least two years in a needy area, they said.

In written testimony, Maui psychiatrist Dr. Sarah Feenstra said: “Loan repayment works. It attracts providers, like myself.”

Now, she works with the state correctional system and a community clinic on Maui, and she said she moved to Maui in 2015 for her first job out of residency.

“In my career search, it was important to find a job that offered loan repayment, as I came out of residency with a daunting \$280,000 in debt,” she said. “I thoroughly enjoy my work with the underserved mentally ill population, seeing people that are often overlooked but have significant needs. I have learned firsthand that there are not enough providers on this island, and we desperately need to improve this situation.”

As amended and recommended for approval by members of the conference committee, the bill calls for spending \$250,000 in fiscal 2017-18 and 2018-19 for the Hawaii rural health care provider loan repayment program. The measure only allows state funding to be used if it’s matched dollar-for-dollar with private or other public funding.

The loan repayment program would be administered through the John A. Burns School of Medicine and help pay loans for physicians, physician assistants and nurse practitioners who agree to work in a federally designated health professional area or an area in Hawaii that is underserved.

Green estimated that the state money with federal matching funding would cover student loan repayments for 20 or more primary care providers.

Maui’s shortage of primary care physicians is 23.4 percent.

Green said he came to Hawaii to practice medicine after completing his residency training in family medicine and accepting a position in the National Health Corps to be a doctor in underserved areas of Hawaii. He settled in Kau and is an emergency room physician on the Big Island.

By working with the program, he was able to pay off a \$130,000 student loan in exchange for working in a rural area, he said.

Doctors in rural settings earn less than those in urban areas, he said, but doctors also carry student loans now of up to \$150,000 to \$200,000, Green said.

Getting and retaining primary care doctors is important because they can manage most health problems or catch them before they get worse, he said.

“There’s no way to replace a good primary care base,” he said.

Many Hawaii doctors are tired and overworked because of the shortage, he said.

“It’s very difficult,” said Green, who estimated that in his 17 years of practice in Hawaii he’s worked about 30 years of hours as a doctor.

“My professional age is 60 instead of 47, my actual age,” he said. “There’s a question of how long you can practice at that pace.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-06 An Act Concerning Medicaid Reimbursement of Certain Emergency Services

[AB 4207](#)

Summary:

Establishes a Medicaid emergency room triage reimbursement fee for low acuity emergency room encounters of patients enrolled in the fee for service program, by acuity they mean the measurement of the intensity of nursing care required by the patient. The Commissioner of Human Services is required to publish a list of diagnostic codes that would be considered low acuity emergency room encounters.

Status: Enacted

Comments: From [Cision PR Newswire](#) (June 27, 2018)

Healthcare advocates are raising questions about the impact on patients of a bill pending before Gov. Murphy that would cut payments to hospitals and emergency department physicians when Medicaid patients come to the ED for needs that end up being non-emergencies.

The bill, A-4207, establishes an emergency room triage payment of \$140 for ED cases that are deemed "low-acuity." The payment would apply to services delivered to Medicaid fee-for-service patients. Hospital EDs care for all patients who walk through their doors, and often times the symptoms that bring a patient to the ED – chest pains, for example – don't always signal clearly whether it's a health emergency. In addition, patients weigh many valid factors when choosing the ED or another setting of care for their healthcare needs.

Here's what leaders of healthcare and patient groups are saying:

Cathy Bennett, President and CEO, New Jersey Hospital Association

"Hospitals embrace their mission of providing quality care to all patients who present in their emergency rooms. Limiting payments based on information available only in hindsight is a disservice to patients and providers. We must guard against creating a climate in which patients' decisions to seek ED care are second-guessed by payers. The risk to patients – and the financial impact on the emergency services that we all count on – is far too high.

"Emergency physicians have shared scenarios in which patients arrive at the ED with symptoms that may seem mild but require the full scope of triage and diagnosis to determine whether a far more serious condition exists:

- Example 1: A patient who suffered a head injury in a fall. Minor symptoms did not reveal an internal bleed that could only be determined if the hospital conducted a CT scan.
- Example 2: A patient who arrived with a low-acuity headache which turned out to be an aneurysm.

"Flu season is another key time for hospital EDs, which routinely handle the overflow of cases that can't be seen in primary care offices, community health centers and urgent-care centers. Last flu season – one of the busiest in recent years – routinely saw New Jersey hospitals dealing with record levels of patients, both in their EDs and in their inpatient units. Bottom line: Patients turn to hospital EDs as their safety net when services are not available to them in other settings."

John Poole, MD, President, Medical Society of New Jersey Board of Trustees

"When New Jersey residents are injured, in pain or in crisis, they need to access care immediately. Sometimes that means a trip to the emergency room. As physicians, we take our commitment to our patients very seriously, and that will never waver. But what this legislation would do, if signed into law, is unfair to patients and the physicians who care for them. A layperson should not be expected to know whether the symptoms they are experiencing are of 'low-acuity.' That's our job. Many serious illnesses can begin with minor discomfort and exacerbate into serious medical conditions.

"But physicians and hospital emergency rooms are once again being asked to shoulder the burden for a shortcoming of the broader health system. Instead of enacting poor health policy, let's work together to explore access-to-care issues in our state and make sure all New Jersey residents can receive the right care, in the right setting at the right time."

Marjory Langer, MD, FACEP, President, New Jersey-American College of Emergency Physicians

"NJACEP strongly believes patients must have access to the right care at the right time. Emergency medicine physicians have long supported efforts for Medicaid to evaluate and improve access to community-based providers: FQHCs, dentists and primary care physicians. But the reality is even if the Medicaid network is adequate and offers same day/evening appointments, the Affordable Care Act under the 'prudent layperson standard' allows the patient to define the need for emergency care, not the ultimate diagnosis. When you come to the emergency room of a hospital you will be seen regardless of the condition you present with. This right was guaranteed by a federal law called Emergency Medical Treatment & Labor Act (EMTALA). Hospitals that offer emergency services are required to provide a medical screening examination when a request is made for examination or treatment regardless of an individual's ability to pay and then required to provide stabilizing treatment. It is critical that New Jersey's safety net physicians not be penalized for doing their job seeing patients 24/7/365.

"There are better long-term solutions on appropriate utilization of emergency departments that we would be happy to discuss with the Legislature and the Administration, however cutting payment to physicians for EMTALA-related activities is unsafe and hurting the state's safety net of care."

Dr. Anthony DiFabio, President and CEO, Robin's Nest

"Although appreciative of the Legislature's desire to address patients choosing the right place for care with this bill, we should be cognizant that patients with mental health and substance use disorder needs account for nearly half of the growth in hospital emergency room cases in New Jersey hospitals. When patients with mental health and substance use disorder needs present in the ED, clinicians must engage in differential diagnosis. We need to ensure care and support appropriate diagnosis and safeguard against retrospective reviews that would reclassify ED visits as 'low acuity.'"

Sister Patricia Codey, SC, Esq. - President, Catholic HealthCare Partnership of New Jersey

"Our mission as healthcare providers is to advance the healing mission of the Catholic Church, and to provide compassionate and proper care for our patients. Limiting a patient's choice in where and how they receive care only would negatively impact our already vulnerable populations. Capping an emergency room visit also limits our patients' access to adequate healthcare, since many patients may seek healthcare services for what they think is a common cold, but it may end up being a life-threatening concern that would only be caught through thorough ED care."

Jennifer Mancuso, Executive Director, Fair Share Hospitals Collaborative

"Fair Share Hospitals Collaborative (FSHC) members take pride in providing high quality care to all patients who visit our emergency departments, regardless of a patient's insurance status or ability to pay. Asking a hospital to treat a patient differently based on a patient's insurance status is contrary to our mission and further disadvantages an already vulnerable population. Hospitals should not be penalized for providing patients with a thorough and comprehensive evaluation to be sure the best possible health outcomes are achieved."

SOURCE New Jersey Hospital Association (NJHA)

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-07 Mental Health Access
[HB 1007](#)

Summary:

Expands mental health access; relates to insurance matters; allows the Division of Mental Health and Addiction to grant approval for additional opioid treatment programs that are operated by a hospital and that meet other specified requirements; provides that the Division determines if there is a need for the program in the proposed location; makes a certain exemption for an individual employed by a community mental health center.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-08 Clinics for Treatment of Opioid Addiction

[HB 155](#)**Summary:**

Relates to clinics for the treatment of opioid addiction; relates to location; provides that the prohibition on relocating clinics for the treatment of persons with opiate addiction through the use of methadone or opioid replacements within a certain distance of a public or private licensed day care center or a public or private K12 school shall not apply to an applicant for a license with an existing facility under certain conditions.

Status: Enacted**Comments:****Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-09 Authorizes Nurses to Compel Mental Health Evaluations
[HB 111](#)

Summary:

Authorizes certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination; provides regulation for opioid and other addiction treatment programs; provides an educational requirement exemption for certified registered nurse anesthetists, certified nurse midwives, and certified nurse practitioners; provides conditions for collaborating agreements; relates to pharmacology training.

Status: Enacted

Comments: From [Cleveland.com](#) (Aug. 12, 2018)

...But newly passed House Bill 111 includes a cryptic clause written to let MetroHealth set up inpatient facilities and related services in eight new counties -- Geauga, Lake, Lorain, Medina, Portage, Stark, Summit and Wayne.

MetroHealth wants to expand its operations outside of Cuyahoga County to provide healthcare to more underserved populations, Boutros said last week.

"Today, we have capability and capacity to help live our mission beyond the borders of Cuyahoga County," he said. "We feel it's a moral obligation for us to do that. MetroHealth's mission compels us to provide care to those in need, whenever we can."

But the decision also is rooted in the hospital's need to be financially viable in a highly competitive market, Boutros said. And ensuring a healthy future for the safety-net hospital ultimately comes down to economies of scale, Boutros said.

"The bigger you are, the less cost per unit," Boutros said. "So we've got to be able to, when necessary, reduce the total cost of these [services]. And that happens through regionalization..."

...The passage of HB 111 means county officials will have no say over when and where MetroHealth chooses to expand. The county will decide only how much the hospital receives from the county's Health and Human Services levy fund..

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-10 Limits on Prescriptions Containing Opioids
[HB 1173](#)

Summary:

Relates to limits on prescription of controlled substances containing opioids; repeals the surgical or invasive procedure treatment exception to the requirement that a prescriber request certain information from the Prescription Monitoring Program when initiating a new course of treatment that includes prescribing opioids.

Status: Enacted

Comments: From [Virginia Business](#) (May 10, 2018)

As a health care professional, state Del. Todd Pillion of Abingdon has a special perspective on the opioid epidemic that has ravaged the localities he represents in Virginia's General Assembly.

Pillion, a pediatric dentist, has successfully sponsored key legislation to address the crisis. He represents the 4th House District, which includes Dickenson County and parts of Wise, Russell and Washington counties.

"Virginia has become a leader in passing not only legislation but regulations through the Board of Medicine and Dentistry," Pillion said. "There's no magic bullet – this epidemic isn't going to go away no matter what we do. But we have seen improvements."

During this year's regular legislative session, the General Assembly passed three opioid-related bills introduced by Pillion, a Republican who was elected in 2014. Gov. Ralph Northam has signed the measures into law:

- [HB 1556](#) will add the opiate overdose reversal drug naloxone and other Schedule 5 drugs for which a prescription is required to Virginia's Prescription Monitoring Program. This will allow the Virginia Department of Health to monitor whether prescribers and dispensers are following state regulations and to deter the illegitimate use of prescription drugs. By adding naloxone to the list, officials can track if it is being co-prescribed with opiates in order to prevent fatal overdoses.
- [HB 1157](#) will require the Department of Health to develop and implement a plan of action for substance-exposed infants in Virginia. The plan must support a "trauma-informed approach" to identifying and treating substance-exposed infants and their caregivers, explore how to improve screening of substance-using pregnant women, and

use multidisciplinary approaches to intervention and service delivery during the prenatal period and following birth.

· HB 1173. Under current law, physicians who prescribe opioids are not required to request information from Virginia's Prescription Monitoring Program as long as the prescription does not exceed 14 days and is treatment for a surgical or invasive procedure. HB 1173 eliminates the exception for prescriptions related to surgical and invasive procedures to bypass the PMP.

The three new laws will take effect July 1.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-11 Prescribing, Dispensing, Reporting Opioids
[HB 1831](#)

Summary:

Revises provisions relating to the requirements for prescribing, dispensing, and reporting of opioids; requires a healthcare practitioner to check the controlled substance database prior to prescribing a controlled substance; requires the Commissioner of Health to study and analyze the impact and effects of the restrictions and limitations as provided; provides greater access to patients receiving information about controlled substances.

Status: Enacted

Comments: From the [Greeneville Sun](#) (April 19, 2018)

The way opioids are prescribed in the State of Tennessee is about to change after state lawmakers overwhelmingly passed a bill designed to decrease the supply and dosage of prescription opioids.

House Bill 1831, sponsored by Rep. David Hawk, R-5th of Greeneville, passed the House of Representatives by a 94-1 vote and passed the State Senate with a vote of 29-1 on Wednesday.

"It is probably one of the more important bills that we have worked on in 2018," Hawk said. "It has been my honor to lead the way on this issue."

According to the Tennessee Department of Health and the Department of Mental Health and Substance Abuse Services, more than 7 million opioid prescriptions are filled annually in the state. This high prescription rate has led to a high overdose death rate, with 1,600 opioid related deaths occurring in Tennessee.

It is one of the highest opioid death rates in the nation.

If signed by Gov. Bill Haslam, the bill would revise various provisions in state law regarding the prescribing and dispensing of opioids and benzodiazepines and other controlled substances. It also sets new requirements on when prescribers must check a controlled substance database.

Current law says certain practitioners must check the database the first time a patient is dispensed a controlled substance, at the beginning of a new episode of treatment and at least once every 12 months after the initial prescription is written.

The new bill would redefine a new episode of treatment from a prescription not prescribed by a practitioner in the last 12 months to the last six months, and it would require the database be checked at least every six months instead of every 12.

It would also require a database check for acute care patients and “opioid naive patients,” who are patients who have not been treated with an opioid 30 days prior to the date of treatment.

Restrictions are also placed on the prescribing of opioids.

“Under the legislation, the vast majority of incidences of opioid naive patient pain treatment will be treated by three days worth of opioids,” Hawk said. “If a doctor feels that a patient needs more than three days of an opioid, then the doctor can prescribe up to 10 days of an opioid, with the understanding that the patient understands why they may need more medication.”

According to the bill, a health care practitioner may not treat an opioid naive patient with more than a five-day supply of an opioid and shall not treat an acute care patient with more than a 30-day supply of an opioid.

In some cases where a practitioner determines more opioids may be warranted and circumstances would make it difficult for a patient to acquire a second prescription, a second prescription could be issued simultaneously with the initial prescription.

The reason for the second prescription must be documented and can be dated no earlier than five days after the first prescription with 10 days being the latest date.

An acute care patient, described as a patient who has been treated with an opioid for fewer than 90 days during a 12-month period prior to the date of treatment by a practitioner, cannot be treated with opioids until the patient is assessed and informed consent has been obtained.

If the patient is a woman of child-bearing age, from 14 to 44, part of the informed consent process must include information about Neo-natal abstinence syndrome and specific information on how to access contraceptive services in the community. Informed consent would be required once during a six month period.

Acute patients would also not be able to be treated with opioids until the patient tried reasonable, appropriate and available non-opioid treatments for pain conditions or documenting the contradiction or intolerance of non-opioid treatments.

Hawk noted nothing in the legislation will stop care for someone who is currently in a pain management program. He said the main reason for the bill is to stop potential new addiction by limiting the initial exposure to the drugs.

The bill’s provisions take effect on July 1, and will end on July 1, 2023, with the hope Tennessee has moved passed the opioid epidemic.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-12 Reporting Guidelines for Opioid Abuse
[HB 2004](#)

Summary:

Establishes reporting guidelines for opioid abuse and diversion; requires any entity that prescribes, dispenses, or handles opioids to provide information to employees about reporting suspected opioid abuse or diversion; prohibits civil liability for or firing of a person who reports suspected abuse or diversion to the hotline.

Status: Enacted

Comments: From [WGNS](#) (March 21, 2018)

This week, Republican lawmakers supported passage of a measure sponsored by State Representative Bryan Terry, MD (R-Murfreesboro) that improves reporting on instances of opioid abuse.

House Bill 2004 establishes an opioid abuse and diversion intake line, managed by the Tennessee Department of Health, for the purposes of receiving allegations of opioid abuse or diversion.

Additionally, the measure directs all allegations to the appropriate licensing boards or law enforcement officials in order to evaluate them. House Bill 2004 also requires employers who prescribe, handle, and dispense opioids to inform employees of the complaint line and grants immunity to anyone who reports information in good faith.

In 2016 alone, there were over 1,600 opioid related overdose deaths in Tennessee, one of the highest rates in the entire nation. Statistics show those numbers are only increasing. Each day in our state, at least three people die from opioid-related overdoses -- more than the daily number of traffic fatalities.

As a physician and as Chairman of the House Health Subcommittee, Representative Terry has led the charge in Tennessee's efforts to tackle the opioid crisis. Terry has sponsored several initiatives related to the opioid crisis and has worked closely with Tennessee House Speaker Beth Harwell (R-Nashville), Governor Bill Haslam, and additional members of House leadership to advance a legislative package designed to address all sides of this paramount issue.

"House Bill 2004 is just a part of our much larger effort in addressing an extremely complex issue that has unfortunately impacted many of our citizens," said Representative Terry. "I look forward to additional collaboration with my colleagues so that we can continue to create innovative solutions in order to help our citizens end the

cycle of addiction."

"As the prime co-sponsor of House Bill 2004, I appreciate the effort and leadership Chairman Terry has displayed on the opioid issue and on this legislation," said Speaker Harwell. "Information is a key to combatting the opioid epidemic. This legislation improves Tennessee's ability to identify bad actors and take action against them..."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-13 Prescribing of Opioids

[HB 2348](#)**Summary:**

Relates to prescription requirements; requires a prescriber, who prescribes opioids to a nonpregnant fertile woman, to inform the patient about the risk of fetal injury and neonatal abstinence syndrome in the event of pregnancy; encourages prescribers to recommend and assist with the implementation of birth control methods for such patients.

Status: Enacted**Comments:****Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-14 Hannah's Law (Mental Health Crisis Lines)
[HB 41](#)

Summary:

Addresses the operation of the statewide mental health crisis line and local mental health crisis line; directs the Division of Substance Abuse and Mental Health to enter into or modify contracts to provide the statewide mental health crisis line; requires the statewide and local mental health crisis lines meet certain staffing and operational standards; requires calls be transferred from local to statewide crisis lines with timely and effective responses; relates to Mental Health Crisis Line Commission.

Status: Enacted

Comments: From [Deseret News](#) (January 26, 2018)

SALT LAKE CITY — The last phone call Hannah Warburton ever made went unanswered.

The 16-year-old Weber High School student took her life shortly after not being able to get through to her psychologist in 2014. Recovering from the effects of a car accident the year before, the severe emotional stress began to take a toll on her, even though she was receiving neuropsychiatric and physical therapy.

Utah lawmakers want to ensure that calls for help never go unanswered, specifically when it comes to the 20 suicide prevention hotlines around the state, only one of which was found to be staffed by trained crisis intervention workers 24/7, 365 days a year. Crisis lines receive about 10,000 calls a year in the state.

"Can you imagine if you called 911 and received voice mail or a busy signal or a router to a phone tree?" asked Rep. Steve Eliason, R-Sandy.

After hearing emotional and personal stories from several lawmakers, the Utah House on Friday unanimously passed Eliason's bill requiring crisis lines in the state to be available at all hours of the day year-round or have the capacity to roll over to other lines.

HB41 also calls for \$2.3 million in ongoing funding for the crisis lines. Eliason said he's "optimistic" that the Legislature would allocate the money. The bill now goes to the Senate.

Hannah Warburton's mother, Laura Warburton, said she was "so thrilled and I'm so grateful" for the House passing what Eliason calls "Hannah's Bill."

"She was an amazing girl, and she had one too many concussions, and the last concussion she got they didn't even catch until it was too late," said Warburton, who the House honored for her tireless work on suicide prevention and anti-bullying legislation.

"She was one strong girl. She was almost a black belt. She hated to lose when she fought. She was tough. She was beautiful and tough, so the idea that only the weak take their own lives is absolutely not true," Warburton said.

During discussion of the bill, Rep. Susan Duckworth, D-Magna, shed tears talking about her own struggles with suicidal thoughts. Counseling and therapy, she said, helped her enjoy life again.

"Don't judge," she said. "Please, please watch and listen to those you love."

Rep. Sandra Hollins, D-Salt Lake City, said people need to be "hypervigilant" and not be afraid to ask someone if they're thinking about suicide and what plans they have.

"It's easy to be disconnected as families," she said.

Suicide is the leading cause of death of among young people in Utah. The majority of victims shot themselves with guns that were not properly stored, Eliason said.

Earlier this month, Gov. Gary Herbert appointed a group of business, religious education and health care leaders to work with the Suicide Prevention Coalition to see what can be done to better prevent suicide in Utah. He charged them with bringing him a plan by Feb. 15 that he can take to the Legislature.

In his State of the State speech Wednesday, Herbert promised to find solutions this legislative session. He said far too many young people experience discouragement and hopelessness so severely that they consider taking their own lives.

"The fact that any of them actually do this is tragic beyond words," the governor said.

The House also passed HB42 calling for the Utah Department of Health to seek a federal waiver allowing counties to use Medicaid funds for a mobile crisis outreach team made up of mental health and medical professionals.

Eliason described the team as a "mental health ambulance" that goes to the house of a person in crisis to determine how to help, refer them for treatment or arrange for a ride to the hospital. The service is currently only available in Salt Lake County.

Rural counties where mental health resources are more scarce would benefit from a outreach team, he said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-15 Medicaid Expansion
[HB 472](#)

Summary:

Amends the state Medicaid program to permit an expansion of Medicaid eligibility under certain conditions; requires the Department of Health to submit a waiver request to the federal government by January 1, 2019, to provide Medicaid benefits to eligible individuals who are below 95% of the federal poverty level; offers services to Medicaid enrollees through the Medicaid managed care organizations.

Status: Enacted

Comments: From the [Salt Lake Tribune](#) (March 27, 2018)

... “This allows us to buy something today, that we can afford tomorrow,” Herbert added of HB472, which includes a spending cap and repurposes money from other Medicaid programs to cover the state’s share of costs.

Under the new law, the feds would pay 90 percent, and the program would automatically end if federal officials were to lower that commitment. Total state and federal costs for the expansion would rise over the next few years, reaching about \$500 million by 2024.

HB472 also requires enrollees to prove they are working or participating in volunteering, vocational training or similar activities. The Trump administration has told state officials it is receptive to such tweaks requested by individual states, which were nonstarters under the Obama administration.

“Medicaid should be a partnership between the federal government and the states, not just a top-down program,” said Senate President Wayne Niederhauser, R-Sandy. “It should be a program where states and federal government get together and craft a program that will work in each individual state.”

Yet it remains unclear if even Trump’s CMS will approve one key provision Utah is proposing. The HB472 plan calls for only a partial expansion of Medicaid coverage for adults making up to 100 percent of the poverty line, or \$12,140 annually for a single person.

The ACA, meanwhile, mandated that states expand their Medicaid programs to cover those making as much as 138 percent of the poverty line. CMS recently declined to approve a similar request by Arkansas, which wanted to cover only residents making 100 percent of poverty incomes.

But both House Speaker Greg Hughes, R-Draper, and HB472's sponsor, Rep. Robert Spendlove, R-Sandy, said Tuesday they were hopeful Utah's request would look more appealing to federal officials. Utah, they said, wants to grow its Medicaid coverage, while Arkansas — which had previously approved a full Medicaid expansion under the ACA — was looking to boot people off coverage by changing its income threshold.

"Our request is to expand coverage, while their request is to lower coverage," Spendlove said.

And if the feds decline to approve any portion of Utah's Medicaid waiver request, HB472 would require further consideration by Herbert and legislators. "It's a package deal," Hughes said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-16 Prescription Drug Task Force Act
[HB 4707](#)

Summary:

Establishes the Prescription Drug Task Force to study prescription opioid abuse in the state, study the over prescription of opioids such as Hydrocodone and Oxycodone, and makes recommendations to the Controlled Substances Act.

Status: Enacted

Comments: From the [Chicago Tribune](#) (Aug. 16, 2018)

Illinois' drug overdose deaths rose by nearly 10 percent over a 12-month period, according to data released by the Centers for Disease Control and Prevention, mirroring a nationwide jump that reflects the ever-greater toll of the opioid crisis.

Over the 12-month period ending in January, Illinois saw 2,760 reported deaths, CDC data show. That was an increase of 236 over the prior year, and the total likely will rise as more autopsy results are finalized.

The nationwide increase over the same time period was 6.3 percent, the CDC said.

Though the CDC's totals include drugs like cocaine and methamphetamine, the vast majority of overdose deaths were due to opioids.

In Illinois, as elsewhere, the rising presence of fentanyl and other powerful synthetic opioids is a prime cause for the escalating deaths, but not the only one, said Dr. Nirav Shah, director of the state's Department of Public Health.

"Certainly the poisonousness of the drug supply in Illinois has gone up," he said. "But we also believe an increasing number of individuals are using opioids."

Illinois has created an opioid action plan to attack addiction and overdoses on several fronts, from reducing "high risk" prescribing to increasing treatment access.

Shah said some progress has been made with naloxone, the overdose-stopping medication. People can now get it at pharmacies without a doctor's prescription, he said, and the state has used a \$2 million federal grant to provide it to police in rural counties.

Another priority is to prevent overdose deaths among people released from jail or prison, a particularly vulnerable population. The Illinois Department of Corrections

started a pilot program last year to give departing inmates naltrexone, a medication meant to block the effects of opioids, but it's too early to determine the program's effectiveness.

The state is also spending more on treatment and allowing Medicaid to pay more treatment-related expenses, said Dani Kirby, director of substance use prevention and recovery for the Department of Human Services.

But disparities remain, she said, especially in Illinois' rural counties.

"There are large areas of the state where there is no medication-assisted treatment or substance abuse treatment at all," she said. "We are working to fill those deserts."

A handful of states are starting to see a reversal. Sparsely populated Wyoming led the way with a 33 percent drop, according to CDC data, while Massachusetts, which has had one of the highest overdose death rates in the country, saw a 3 percent decline.

Shah said most states are following the same playbook to deal with the overdose crisis. But because the fentanyl wave hit Illinois relatively late, he said, it could take longer for its results to improve.

"It is our hypothesis, based on fentanyl, that we expect deaths to rise," he said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-17 Electronic Prescriptions
[HF 2377](#)

Summary:

Relates to the regulation of certain substances; relates to the practice of pharmacy; provides that a prescribing practitioner does not include a licensed veterinarian; revises provisions relating to the Information Program for Drug Prescribing and Dispensing; relates to required information regarding the administration of opioid antagonists; adds certain precursor substances to the controlled substances schedule.

Status: Enacted

Comments: From the Sioux City Journal (May 15, 2018)

Calling it a move that “represents a significant step forward in Iowa’s efforts to address the opioid epidemic,” Gov. Kim Reynolds signed into law a comprehensive bill Monday that aims to combat the growing problem.

Through several provisions, House File 2377 aims to address the problem of opioid abuse and addiction at several angles, but particularly from the standpoint of curbing prescription abuse.

The tone from the governor, as well as legislators present, is that this is just the initial phase in combating opioid abuse and addiction in the state.

“I think it’s a big step in the process,” Reynolds told reporters after the signing. “We need to continually be looking for ways to enhance, but this is a significant step.”

Reynolds said the law is designed to reduce the number of prescription opioids in communities, which experts nationally have pointed to as the catalyst of the U.S. opioid crisis.

Reynolds signed the bill at Mercy Medical Center in Dubuque, which houses the Mercy Turning Point Treatment Center — a substance abuse program touted during the event.

“What we’re trying to do is deal with those who are addicted to prescription drugs,” said Sen. Pam Jochum, D-Dubuque. “The bill was really built on some of the success stories that we have experience in our own state and the Dubuque community.”

Among its provisions, the new law requires prescribers — doctors, dentists, nurse practitioners and veterinarians — to register for the prescription monitoring program, an online database that will receive funding from this bill.

Once registered, prescribers will be required to report any controlled substance they give to patients in the program. They also must check the database before issuing an opioid prescription to a patient to determine if that individual is doctor shopping — visiting multiple doctors to obtain more prescriptions.

“This goes a long ways in just seeing if there’s inconsistencies or overprescribing,” Reynolds said. “It would help identify that and help discourage that.”

Beginning Jan. 1, 2020, every prescription issued for a controlled substance will be issued electronically, rather than on a paper prescription — a practice that allowed some to tamper with their prescription amount.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-18 INSPECT program - criminal law and procedure
[S 221](#)

Summary:

Amends the INSPECT program; allows a dispenser of ephedrine, pseudoephedrine, or controlled substances to transmit certain information to the INSPECT database by any electronic method that meets certain specifications; provides that the INSPECT database must be interoperable with other similar registries operated by federal and state governments; provides a list of practitioners that shall obtain patient information from the database prior to prescribing an opioid or benzodiazepine.

Status: Enacted

Comments: From the [Daily Journal](#) (April 9, 2018)

... Senate Bill 221, authored by State Sen. Erin Houchin, requires doctors to check the state's drug monitoring system, INSPECT, before prescribing opioids or benzodiazepines such as Xanax or Valium to a patient. The idea is to help doctors understand if a patient is receiving these drugs from another doctor, or if they have a history of excessive opioid use, Houchin said.

"It's a very important bill to address the opioid epidemic at its source: the prescription pad," she said...

... **Senate Bill 221**

Requires physicians to obtain information about a patient from the statewide INSPECT prescription monitoring system before writing a prescription for opioids. Physicians will be able to check a patient's history with opioid prescriptions and other controlled substances, to ensure they are not overprescribing. They can also find out if the patient has a history with opioid abuse or misuse...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting

☐ next SSL cycle
☐ Reject

Comments/Note to staff

07-40A-19 CBD Oil
[SB 52](#)

Summary:

Repeals all provisions relating to the cannabidiol registry and a substance containing cannabidiol; defines low THC hemp extract as a product derived from Cannabis sativa L. that contains not more than a certain percentage of THC and no other controlled substances; establishes requirements for the manufacture and sale of low THC hemp extract; makes conforming amendments.

Status: Enacted

Comments: From nwi.com (March 21, 2018)

There no longer is any question over whether Hoosiers are permitted to use cannabidiol, also known as CBD oil, as a natural remedy to treat health ailments.

They can.

Republican Gov. Eric Holcomb on Wednesday signed into law Senate Enrolled Act 52 that explicitly legalizes CBD oil in response to an official opinion by Republican Attorney General Curtis Hill that suggested the marijuana-related product could not be sold or consumed in Indiana.

The Republican-controlled General Assembly overwhelmingly overruled the attorney general's November announcement by approving the CBD legislation 97-0 in the House and 36-11 in the Senate.

Holcomb said after enacting the measure: "I'm grateful for the General Assembly's hard work to bring me a bill to address the needs expressed by our citizens."

Under the new law, which took effect immediately, there are no limitations on CBD oil sales through June 30 provided the product contains less than 0.3 percent THC, the cannabis compound that produces a "high."

Beginning July 1, CBD oil retailers only can sell CBD products that comply with new state testing and packaging requirements, including certification that the product is derived from industrial hemp and not marijuana.

"Indiana lawmakers delivered a bill that ensures Hoosiers who benefit from CBD oil can access it," Holcomb said. "The bill provides much needed clarity, with labeling requirements and a 0.3 percent THC limit on CBD products."

The new law also provides that retailers who knowingly sell marijuana disguised as CBD oil can be charged with a Level 5 felony punishable by up to six years in prison and a \$10,000 fine.

An individual who possesses marijuana made to look like CBD oil may face a Class A misdemeanor with up to one year in jail and a \$5,000 fine.

Hammond Mayor Thomas McDermott, Jr., who clashed with the attorney general over the CBD oil McDermott regularly provides to his aging dog, Teddy, pronounced the new law "outstanding."

"I know a lot of people, human and non-human alike, that take CBD oil for ailments, a lot of arthritis issues," McDermott said. "I think it's a real great alternative."

The mayor said the will to legalize CBD oil was in the General Assembly all along as demonstrated by its 2017 law that authorized CBD oil use by Hoosiers with treatment-resistant epilepsy.

He said Hill's official opinion that CBD oil sales and use remained illegal likely led to the new law that leaves no doubt about its status.

"The fact that we even had a controversy this year was just because of Curtis Hill," McDermott said. "He wants to be loyal to Donald Trump and the hard right-wing by taking a hard stance on something that couldn't get you high even if you drank a whole bottle of it. Never made sense to me other than political grandstanding."

"I appreciate the governor and the Legislature doing the right thing, and making a natural, herbal remedy available for pain relief."

An email message sent to Hill's spokeswoman seeking comment on the new law was not returned Wednesday evening.

Two Northwest Indiana legislators were among the sponsors of the law: state Sen. Karen Tallian, D-Ogden Dunes; and state Sen. Lonnie Randolph, D-East Chicago.

Staff Note:

Also [Utah](#).

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

☐ Include as a Note

- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-20 Prescriptions for controlled substances

[SB 2025](#)

Summary:

Revises provisions relating to prescriptions for controlled substances; requires a pharmacist to record and report on dispensing partial fill prescriptions for opioids; requires a person presenting a prescription for a partial fill of an opioid to pay the prorated portion of cost sharing and copayments; prohibits insurers and pharmacy benefits managers from utilizing partial fills of an opioid to reduce payments to a pharmacy for dispensing multiple partial fills.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-21 Episodes of Care
[SB 2155](#)

Summary:

Relates to episodes of care; provides that, in developing or implementing any payment reform initiative involving the use of episodes of care with respect to medical assistance provided by the bureau of TennCare, a healthcare provider shall not be required to pay the portion of the risk sharing payment that is attributable to the increased cost of pain relief services if certain conditions are met; relates to reducing opioid use by a patient.

Status: Enacted

Comments: From the Academy of Integrative Pain Management (July 11, 2018)

Similar to other chronic conditions like diabetes and high blood pressure, chronic pain isn't typically cured, but is managed with a combination of therapies and approaches specific to the individual. However, if you're at all familiar with the current state of pain management in the United States, you already know that this kind of interdisciplinary integrative pain care is uncommon—in part because services other than traditional allopathic medical care are often poorly reimbursed and in part because these services are often in short supply in rural and other underserved areas.

Recently, in an effort to optimally treat the 100 million Americans living with pain while reducing the prescription drug overdose epidemic, policymakers are beginning to truly understand the urgent need to ease access to alternative forms of treatment, including chiropractic care, physical therapy, massage therapy, and more...

...Tennessee – SB 2155 (2018), which took effect July 1st, specifies that in developing or implementing any payment reform initiative involving the use of episodes of care with respect to medical assistance provided by the bureau of TennCare or the health care finance and administration (HCFA), the bureau and the HCFA shall exclude charges related to pain relief that decreases the use of opioids from the calculation of costs for any episode of care.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

☐ Include as a Note

- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-22 Opioid Reduction Act
[SB 273](#)

Summary:

Amends the Opioid Reduction Act; clarifies physician responsibility for medication assisted treatment programs; requires consultation with patients prior to prescribing an opioid; limits the amount of opioid prescriptions; provides for referrals to a pain clinic or pain specialist; requires insurance coverage to treat chronic pain; expands acts subject to discipline or prosecution; amends the Uniform Controlled Substances Act; provides for unlawful retaliation and prescription drug monitoring.

Status: Enacted

Comments: From [Health Law Matters](#) (April 5, 2018)

On March 27, 2018, Governor James C. Justice signed [SB 273](#), which among other dramatic actions limits initial opioid prescriptions in emergency rooms and also subsequent prescriptions by physicians in West Virginia, effective as of June 7, 2018.

SB 273 is an important first step in implementing the [West Virginia Opioid Response Plan](#), announced by the State of West of Virginia on January 30, 2018.

As of June 7, the following limits on opioid prescriptions apply in West Virginia:

Initial Prescription Limits

- Adults receiving an initial opioid prescription in an emergency room (ER) are limited to a four (4)-day supply of opioid pain medicine.
- Minors in the ER are limited to a three (3)-day supply, and the ER physician must explain the risks of addiction to the parents of the minor.
- Private practices are limited to prescribing to their patients a maximum seven (7) day supply which must be the lowest effective dose which in the physician's best medical judgment is the best course of treatment.
- Dentists and optometrists are limited to prescribing a three (3)-day supply of opioid pain medicine.
-

These limitations are designed to minimize the risk of patients becoming addicted to opioids and to avoid the risks of diversion by limiting the prescriptions to a strict "as needed" basis.

Subsequent Prescription Limits

- Within six (6) days of an initial prescription for opioids, a practitioner may issue a new prescription if: a) it is not an initial prescription, b) the prescription is

necessary and appropriate for treatment, c) the specific rationale for treatment is documented, and d) the practitioner documents that the subsequent prescription does not present an undue risk of abuse, addiction or diversion.

- Schedule II drugs are subject to a maximum 30-day supply with two (2) additional 30-day supplies if the physician monitors the Controlled Substances Monitoring Program Database.
- Prescriptions longer than seven (7) days require a narcotics contract with the patient that specifies: a) the client may only obtain narcotics from this specific practitioner, b) the patient must obtain the Schedule II narcotics at a specific pharmacy, c) the patient must notify the practitioner within 24 hours if the patient gets an emergency prescription of Schedule II narcotics, and d) if the patient fails to follow the agreement, the practitioner can either terminate the patient relationship or treat the patient without Schedule II drugs.
- Limitations on subsequent prescriptions do not apply to cancer patients, patients receiving palliative care, residents of long-term facilities, or patients receiving medication to treat substance abuse or opioid dependence.
- Physicians are required to discuss the addiction and overdose risks with patients or parents of minors, explain why the pain medicine is needed, and detail alternative treatments that may be obtained instead of the opioid prescriptions.
- Practitioners must explain and document that opioids are highly addictive, and that even if taken as prescribed, there is serious risk of developing physical or psychological dependence.
- Practitioners must also advise clients as to the risks of taking more than prescribed, and that mixing sedatives, benzodiazepines or alcohol with opioid prescriptions can result in respiratory depression.
-

Other Important Requirements

- Voluntary, non-opioid advance directives are now available to indicate that a patient refuses treatment with opioids.
- An exemption of certain Medication-Assisted Treatment Programs serving less than 30 patients from registering as a pain clinic will be available.

These limitations and requirements for prescribing opioids impose important limitations and changes to treatment protocols and documentation requirements. Hospitals and physicians alike are well advised to review the changes imposed by SB 273, and to revise their treatment protocols and documentation requirements to comply with the strict rules. By adding these limits, positive requirements and additional documentation standards, West Virginia is significantly raising the bar to limit access to opioids to address the ongoing opioid crisis. However, practitioners fear that the benefits may be offset by increased challenges in treating patients with significant pain, and that the changes will increase the costs of care, while negatively affecting the quality of care for many West Virginians.

In addition, these changes will likely have a serious impact on risk management for hospital-based and independent practitioners that prescribe opioids, including serious

ramifications for both over-prescribing and under-prescribing, and for not meeting the specific requirements of SB 273.

Finally, even though these limitations are imposed by law, important conflicts remain for licensed professionals who must navigate many competing concerns to properly treat patients with pain issues, properly document their decisions, meet ethical guidelines and avoid disciplinary actions and lawsuits.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-23 Utah Mobile Crisis Outreach Team Act

[SB 31](#)

Summary:

Enacts the Mobile Crisis Outreach Team Act; This bill addresses the operation of the statewide mental health crisis line and local mental health crisis line. Requires the Mental Health Crisis Line Commission to serve as the mobile crisis outreach team advisory committee; requires the Division of Substance Abuse and Mental Health to set standards for an MCOT certification; requires the Division to make rules outlining the responsibilities of MCOTs and the interaction of MCOTs with the civil commitment process.

Status: Enacted

Comments: From St. George News (Feb. 27, 2018)

...Another bill co-sponsored by Thatcher, Senate Bill 31, creates a new type of certified first responder specializing mental health.

"It will essentially be the mental and behavioral health equivalent of a paramedic," Thatcher said, adding, "I'm telling you, that is groundbreaking. It is revolutionary. It is very, very exciting."

State-certified Mobile Crisis Outreach Team members would include licensed mental health therapists or other mental health professionals who meet established licensing requirements. That bill, after being amended, has passed both the House and the Senate.

To help pay for such services, House Bill 42, co-sponsored by Eliason and Thatcher, directs the Utah Department of Human Services to amend the state Medicaid plan to include mental health crisis services, including the statewide crisis line and the mobile crisis outreach teams. Federal waivers would help local mental health authorities cover their costs, Thatcher said.

"We believe that if they were willing to pick up the tab for intervention services, we could mitigate a tremendous amount of cost, both to Medicaid and the state," Thatcher said as he talked about the bill during a Senate session Feb. 20. The measure has also passed both the House and the Senate and is pending final budget approval.

The fourth and final piece of legislation in the group of related bills is Senate Bill 32, which authorizes the Mental Health Crisis Line Commission to continue its work for five more years, with the sunset or expiration date being extended from July 1, 2018 to July 1, 2023. That bill also has passed both chambers and awaits enrollment.

In addition to the various legislative efforts, suicide prevention has also been emphasized recently by Utah's governor and lieutenant governor.

Gov. Gary Herbert talked about teenage suicide his "[State of the State](#)" address Jan. 24, and created a task force to come up with solutions...

Staff Note:

Pair with Hannah's Law.

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-24 Reforming Medicaid and Premium Assistance Program
[SB 313](#)

Summary:

Increases the amount of liquor revenues to be deposited into the Alcohol Abuse Prevention and Treatment Fund; provides that moneys deposited into the fund shall be transferred to the New Hampshire Granite Advantage Health Care Trust Fund for substance use disorder prevention, treatment, and recovery.

Status: Enacted

Comments: From the [Concord Monitor](#) (Feb. 15, 2018)

...Senate Bill 313, released online Thursday, would replace the state's existing New Hampshire Health Protection Program – which currently provides services to around 50,000 low-income residents – and create a new, five-year initiative carrying significant changes to structure and funding.

The new program would continue to not rely on state taxpayer funds to operate, according to the bill's text.

The proposal, dubbed the "Granite Advantage Health Care Program," would work to move the program's present recipients off the individual insurance market and move them into the state's existing Medicaid care organizations, the bill states.

It would implement a long-sought work requirement for applicants, an initiative for which approval is still pending by the federal Centers for Medicare and Medicaid Services (CMS) in Washington.

Under the bill, which mirrors the state's waiver application, individuals would have to work 20 hours a week in their first year, 25 hours in their second, and 30 hours in their third and beyond.

It would introduce new income eligibility requirements – an "asset test" in which those whose bank accounts, cash and possessions are assessed at below \$25,000 – excluding the person's primary home, primary car and furniture – would be considered "asset eligible" for the program.

And it would include a waiver for a requirement under the present federal law to provide 90-day retroactive coverage, which currently allows those who receive care before signing up to get that care compensated after the fact.

Finally, the bill includes an amended approach to how the program is paid for.

Among numerous persistent questions facing New Hampshire's present program has been how the state will pay for its share. In 2018, according to the law the state must contribute 6 percent of overall costs, with the federal government paying the other 94 percent; that number is set to increase to 10 percent in 2020.

A decision by CMS last year found that New Hampshire's present solution – to allow insurers and hospitals to pick up the tab and exempt taxpayers – violated its rules, citing a rule stating that those entities can't contribute because they directly benefit from the program's continuation.

As with the existing program, the newly proposed programs would create a trust fund to allow "any gifts, grants, donations, or other funding from any source." The fund could be used for virtually all state costs associated with the program; there appear to be no restrictions on contributions from the health care industry.

The most notable difference: The suggested program would remove a provision that puts voluntary contributions from insurers and hospitals directly on the hook for paying the costs once other local funding sources, like state premium taxes, run out.

Under the new law, participating insurers and hospitals can pay in what they want to the fund, and their contributions can be spent as the commissioner sees fit. But the arrangement is no longer directly tied to the costs of the program.

It's a potentially savvy legal workaround to last year's CMS decision. But it comes with a possible downside: Without a direct funding arrangement, there's no guarantee that the new, voluntary contributions will cover the state's expenses, according to a state Department of Health and Human Services analysis included in the bill's fiscal note. That means the program could launch without a guaranteed source of funding.

It remains unclear whether CMS would approve such a revised funding scheme. On Thursday, Republican leaders said they were waiting for the federal agency to sign off on the arrangement.

Implementing the program would require the Commissioner of the Department of Health and Human Services to apply for numerous waivers with CMS before it reauthorizes New Hampshire's Medicaid expansion, which is set to "sunset" on Dec. 31 of this year.

The bill, sponsored by Senate Majority Leader Jeb Bradley, R-Wolfeboro, is meant to be a placeholder ahead of an expected amended version, according to Sen. Dan Feltes, D-Concord. But a timetable has been set; the temporary legislation has been referred to the Senate Finance committee and is set for an initial hearing Tuesday at 1:30 p.m. at Representatives Hall.

Neither Bradley nor Senate President Chuck Morse, R-Salem, were immediately available to comment Thursday evening.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-25 Swimming Pool Safety Act
[SB 442](#)

Summary:

Requires that certain pools or spas be equipped with specified drowning prevention safety features when a building permit is issued. Revises the characteristics of required safety features. Deletes an exemption from the act of political subdivisions that adopt ordinances for swimming pools. Requires home inspections to include certain examinations of pools or spas.

Status: Enacted

Comments: From the [Capital Public Radio](#) (Dec. 21, 2017)

...The new law, [Senate Bill 442](#), would also require home inspectors to examine pools and spas and record in their reports which safety features, if any, are present when a home is sold.

Gov. Jerry Brown vetoed a similar measure a year ago. Advocates for the law say they communicated additional personal stories when pushing for it this year and believe that made the difference.

“When the families of victims came to me with ways to improve the outdated pool safety act, and thereby prevent others from experiencing the tragedies they had endured through the drowning or near-drowning of a child, I was moved to act,” Democratic State Sen. Josh Newman of Orange County, who introduced the bill in February, said in a recent [news release](#).

“Residential pool drownings can be prevented, and SB 442 will go far toward reducing the pain and costs associated with pool drownings,” Newman added.

Safety features that comply with the new law, as outlined in [Senate Bill 442](#):

1. An enclosure that isolates the swimming pool or spa from the private single-family home.
2. Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
3. An approved safety pool cover
4. Exit alarms on the private single-family home’s doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that “the door to the pool is open.”

5. A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.
6. An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.
7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-26 Health and Medical Services
[SB 897](#)

Summary:

Enacts a work requirement for Medicaid recipients; provides general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; provides for compliance by this state with the social security act; provides protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; administers programs and services for the prevention and treatment of delinquency, dependency and neglect of children.

Status: Enacted

Comments: From the [Michigan State Medical Society](#) (June 4, 2018)

This week, the Michigan Legislature passed [Senate Bill 897](#), which would impose work requirements on certain eligible *Healthy Michigan* beneficiaries with some exceptions. Several changes were negotiated throughout the process, including revising the hourly requirement from 29 hours per week to 80 hours per month and only imposing work requirements on eligible beneficiaries within the *Health Michigan* population, rather than also including traditional Medicaid.

In response to the bill's imminent passage, MSMS sent a letter this week to both Governor Snyder and the bill sponsor, Senator Mike Shirkey, recognizing the improvements that have been made while also outlining some continued concerns, including potential impacts to access to care, and requesting an ongoing dialogue and robust evaluation process as the law is implemented. The Senate concurred with the House changes and the bill will then be sent to the Governor who is likely to sign it into law. Ultimately, a waiver will need to be approved by the federal Centers for Medicare and Medicaid Services prior to implementation.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle

() Reject

Comments/Note to staff

07-40A-27 Opioid Misuse Prevention
[HB 1003](#)

Summary:

Concerns measures to prevent opioid misuse in the state; establishes the Opioid and Other Substance Use Disorders Study Committee; requires the creation of a process with the substance abuse recovery community to develop a strategic plan that addresses the full continuum of recovery services, including detox services and reintegration with peer support; establishes a grant program; makes an appropriation.

Status: Enacted

Comments: From the Denver Business Journal (April 25, 2018)

...HB 1003, another Pettersen bill, allocates money to ramp up provider training and invest in screenings for pregnant women...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-28 Clinical Practice for Opioid Prescribing
[SB 22](#)

Summary:

Concerns clinical practice measures for safer opioid prescribing; relates to the Opioid and Other Substance Use Disorders Interim Study Committee; restricts the number of opioid pills that certain health care practitioners may prescribe; clarifies that a health care practitioner may electronically prescribe opioids; requires the Department of Public Health and Environment to report its results from studies regarding the Prescription Drug Monitoring Program.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-29 Opioid Intervention Courts
[SB 483](#)

Summary:

Concerns the establishment of opioid intervention courts; requires the Chief Court Administrator, in consultation with the Chief Public Defender, Chief State's Attorney and the dean of the University of CT School of Law, to study the feasibility of establishing one or more courts that specialize in the hearing of criminal or juvenile matters in which a defendant is an opioid-dependent person, who could benefit from intensive court monitoring and placement in a substance abuse treatment program.

Status: Enacted

Comments: From the [Hartford Courant](#) (September 18, 2018)

In a city beset by the deadly effects of opioids, a task force of state legal minds and judicial officials met Tuesday to discuss the potential for courts dedicated to handling the criminal aspect of this epidemic.

The task force, headed by the chief court administrator, Judge Patrick L. Carroll III, was created amid ongoing efforts by the state legislature to address the opioid overdose crisis, which kills hundreds a year.

"This is a massive issue in the state of Connecticut," Carroll said, opening Tuesday's meeting inside the new courthouse in Torrington, a city among the hardest hit by the epidemic in terms of lives lost.

Last week, the office of the chief medical examiner released statistics showing that the opioid crisis continues with only marginal signs of slowing. The office projected 1,030 will die of drug overdoses, mostly from opioids, in 2018, a decrease of eight deaths from 2017.

Tuesday's meeting, the first of three before the group is required to send a report to the General Assembly's judiciary committee in January, comes amid a steady stream of opioid-related criminal cases coming into judicial districts across the state.

The task force was asked by the legislature, in a bill passed last session and signed by Gov. Dannel P. Malloy, to explore if these cases would be better addressed in a specific court that specialized in handling matters involving opioid-dependent adults or children.

Carroll was joined Tuesday by two other judges, as well as the chief state's attorney, chief public defender, commissioner of the Department of Correction, dean of the

UConn Law School and staff from the Office Of Policy Management, Department of Mental Health and Addiction Services and the judicial branch.

Under the new law, this group was asked to explore aspects including drug testing for arrestees, treatment placement options for opioid-dependent individuals and daily court monitoring, among other possible efforts.

Early comments from those on the task force centered on the sweeping nature of the crisis, which they said was more a public health issue than one solely seen in courthouses.

“The approach to addressing this can’t be solely placed in the judicial system,” Carroll said.

The meeting Tuesday focused largely on what the judicial branch already does for those who are drug-dependent.

Gary A. Roberge, head of the judicial branch’s court support services, said more than 19,000 drug cases were referred to treatment programs last year.

Roberge said the department contracts with 45 outpatient licensed clinics that provide evidence-based treatments. A number of those clinics also provide medication-assisted treatment, a growing standard to address opioid addiction.

“We have a robust network of treatment services,” Roberge said. The referrals and programs are available to all judicial districts.

The task force will meet again in October, when it will hear from DMHAS Commissioner Miriam Delphin-Rittmon, before working on a draft proposal and further discussion in a November meeting.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-30 Controlled Substances

[HB 21](#)

Summary:

CS/CS/HB 21 amends various sections of law to increase the regulation, training, and reporting required when controlled substances are prescribed and dispensed.

Status: Enacted

Comments: From [Florida Today](#) (June 26, 2018)

HB 21, the Florida OPIOID prescribing law, goes into effect July 1, and will have far-reaching effects on how providers must review, document and prescribe medications for pain, anxiety, insomnia, attention deficit disorder, seizures, neuropathy, muscle spasm, diarrhea, low testosterone and severe cough.

Most of the drugs used to treat these illnesses are considered “scheduled drugs” by the Drug Enforcement Administration based on the drug's potential for abuse or addiction, overall safety, and medical applications. HB 21 is adding more oversight and restrictions to the prescribing of these drugs.

Schedule I drugs, like heroin, LSD and peyote are considered dangerous, with severe abuse potential and no current medical use.

Schedule II drugs have a high potential for abuse and dependence. These include the pain medicines codeine, hydrocodone, morphine and oxycodone, as well as the ADHD drugs Adderall and Ritalin (brand names given).

Schedule III drugs have moderate potential for abuse. These include testosterone, anabolic steroids and some anesthesia-related medications.

Schedule IV drugs have a lower risk. Most of these medications are for anxiety, like Xanax, Valium and Ativan (brand names given). Sleeping pills and many muscle relaxants fall under this category as does the pain pill tramadol (Ultram) and the anti-seizure medication phenobarbital.

Schedule V drugs are codeine cough syrups, prescription diarrhea medications and pregabalin (Lyrica).

A key element of the law is the state’s Prescription Drug Monitoring Program. This is a secure website through the Florida Department of Health which records every

prescription for scheduled medications along with the patient's name and date of birth, prescriber's name, pharmacy and date the medication was dispensed.

Prior to this law, most prescribers would access the website only if they have specific concerns. Now, prescribers are required to access the site and document in the chart that they checked the website prior to prescribing scheduled drugs.

So providers who would usually access the PDMP a couple of times a month will now have to check it several times a day, adding 30 to 60 minutes to the workload. Many are alerting their patients to allow five days to refill any scheduled drugs.

Also, if the PDMP website is down, the prescriber must record the prescription, time and reason that the site cannot be accessed in the chart. They may only prescribe a three-day supply of the drug.

There are new rules regarding acute pain. This would be pain from an acute injury or after surgery. By law, the prescriber can only give a three-day supply—generally 12 to 18 pills. If the prescriber thinks the seven-day prescription is needed, they must document "acute pain exception" on the prescription and the reason for the larger amount within the chart.

Prescribers may choose to recommend ibuprofen and acetaminophen instead of scheduled drugs. In fact, some emergency departments are putting up signs announcing that they are an "OPIOID-free ER."

Schedule II prescriptions for chronic pain must have the words "non-acute pain" written on the prescription. All chronic pain patients' charts must have a complete and thorough medical record, a copy of the patient's government-issued photo ID, and a controlled-substance agreement in place, which is a standard form listing the responsibilities of the patient who is taking this class of medication.

There are a few other requirements and exceptions. Providers seeking details about the new law should check with their professional organizations.

Failure to comply, particularly not checking the PDMP, will result in disciplinary action against the prescriber. It is unknown whether this will have an effect on medical professionals choosing to begin or continue practicing in Florida.

Stemming the tide of the opioid epidemic is critical. But many patients will be affected by this law, and need to be aware of the delays, prescription changes or referrals they may encounter because of the type of medications they take.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-31 Drug Testing for State Employment
[HB 701](#)

Summary:

Relates to definitions for drug testing for state employment; allows for testing for all forms of opioids.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-32 Opioid Label Warning
[HB 1602](#)

Summary:

Requires a health care professional or pharmacist who dispenses any opioid drug to include a specific warning label on the drug's package.

Status: Enacted

Comments: From [Hawaii News Now](#) (July 10, 2018)

...The first law, [House Bill 1602](#), requires that any drug containing an opiate, dispensed by a healthcare professional or pharmacist, must have a label warning risks of addiction and death.

Back in March, officials from both the Board of Pharmacy and the Department of Public Safety requested that the bill be implemented with a smaller label.

Lee Ann Teshima, executive officer for the Hawaii State Board of Pharmacy requested that the legislature consider a label that states: "Caution: Opioid. Risk of overdose and addiction." The issue was that a longer label may not easily fit on most prescription bottles.

The final version of the law reflects these requests....

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-33 Health Care Providers in the Workers' Compensation System
[SB 2244](#)

Summary:

Requires health care providers in the workers' compensation system, who are authorized to prescribe opioids, to adopt and maintain policies for informed consent to opioid therapy in circumstances that carry elevated risk of dependency; establishes limits for concurrent opioid and benzodiazepine prescriptions.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-34 Opioid Antagonists
[SB 2247](#)

Summary:

Expands the scope of registered pharmacists' practice by allowing them to prescribe, dispense, and provide related education on opioid antagonists without the need for a written approved collaborative agreement.

Status: Enacted

Comments: From Hawaii News Now (July 10, 2018)

...The second bill Ige signed relating to opioids, [was Senate Bill 2247](#), which authorizes pharmacists to dispense, prescribe and provide related education on opioid antagonists to people at risk of opioid overdose without the need for a written agreement, subject to certain conditions.

An opioid antagonist is a drug that blocks opioids by attaching to opioid receptors without activating them, according to [The National Alliance of Advocates for Buprenorphine Treatment](#).

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-35 Medicaid Expansion for Mental Health Access
[HB 1007](#)

Summary:

Expands mental health access; relates to insurance matters; allows the Division of Mental Health and Addiction to grant approval for additional opioid treatment programs that are operated by a hospital and that meet other specified requirements; provides that the Division determines if there is a need for the program in the proposed location; makes a certain exemption for an individual employed by a community mental health center.

Status: Enacted

Comments: From the [Daily Journal](#) (April 9, 2018)

...Allows the state Division of Mental Health and Addiction to open up nine new opioid addiction treatment centers. Those facilities will be operated by hospitals or health centers. The locations of those treatment centers has not been determined, but the goal is ensure that no Indiana resident has to drive more than one hour to get recovery services...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-36 Substance Abuse Prevention
[HB 755](#)

Summary:

Relates to elementary and secondary schools; provides that instruction on substance abuse prevention include certain information about opioids; authorizes the governing authority of each public and nonpublic school to adopt a policy relative to the supply and administration of opioid antagonists; provides that such a policy require training relative to such administration.

Status: Enacted

Comments: From [Nola.com](#) (April 18, 2018)

... The House unanimously passed [House Bill 755](#), which would give school nurses the option to possess a supply of naloxone or "any other opioid antagonist" on campus and to use it in the event of an "actual or perceived opioid emergency," according to state Rep. Rep. Dustin Miller, D -- Opelousas, the bill's sponsor...

Miller has pointed out that having naloxone available at schools can help prevent opioid-related deaths. His bill would require a nurse or school employee at both public and private schools in Louisiana to take at least six hours of general and child-specific training from a registered nurse or a licensed medical physician before they can administer naloxone by injection or nasal spray.

Louisiana school officials are also taking steps to address the opioid epidemic. On Wednesday, the Louisiana Board of Elementary and Secondary Education [updated state policy](#) to require schools to include an opioid-specific component in substance abuse prevention instructions. The change starts next school year...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-37 Voluntary Nonopioid Directive Form
[SB 90](#)

Summary:

Relates to a voluntary nonopioid directive form; provides for voluntary prescription opioid opt-out opportunity for patients; provides for a form; provides for access to the form; provides for immunity.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-38 Prohibits the Denial Of Coverage for a Nonopioid
[SB 285](#)

Summary:

Relates to prescriptions for chronic pain; prohibits the denial of coverage for a nonopioid prescription in favor of an opioid prescription; provides with respect to opioid prescriptions deemed medically necessary and prescribed by a licensed physician.

Status: Enacted

Comments: From [NPE](#) (July 24, 2018)

On May 20, 2018, Gov. Edwards signed SB 285 into law, creating Act No. 372. This law prohibits insurance carriers from denying coverage of a physician-prescribed nonopioid medication in favor of an opioid prescription drug. Further, when an opioid prescription is prescribed as medically necessary, the insurer cannot deny coverage of the opioid and attempt to substitute an alternative that requires an increased number of pills per prescription, is a higher Drug Enforcement Administration schedule medication than the one prescribed, or substitutes an extended-release medication that doesn't have defined abuse deterrent properties for a prescription of a medication that does.

Although the insurance carriers will implement this law, employers should be aware of the change. The law is effective Jan. 1, 2019.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-39 Addiction Care Access and Prevention
[HB 4866](#)

Summary:

Provides for prevention and access to appropriate care and treatment of addiction; creates a Commission on Community Behavioral Health Promotion and Prevention; creates various grant programs related to substance abuse recovery and treatment.

Status: Pending

Comments: From Wbur (Aug. 1, 2018)

... The legislation expands access to the overdose-reversal drug naloxone without a prescription by establishing a standing order to allow pharmacies to dispense the drug often referred to by the brand name Narcan. It also allows certain sheriffs to purchase naloxone at a lower cost through the state's bulk purchasing program and allows local governments and agencies to exchange unexpired naloxone.

The bill will expand access to medication-assisted treatment in prisons and possibly jails, as well as mandating that emergency rooms and involuntary commitment facilities provide it.

Medication-assisted treatment (MAT) includes methadone and buprenorphine, brand name Suboxone, which help stave off cravings for opioids, and Vivitrol, which blocks the effects of opioids....

...Advocates say there's a clear need for MAT in prisons and jails. [State data](#) shows the opioid overdose death rate is a staggering 120 times higher for drug users who've been incarcerated.

Under the bill, the state Department of Correction would create a program of MAT for incoming prisoners at Cedar Junction, as well as evaluation and treatment before their release. The bill also mandates that detainees and prisoners at the Massachusetts Alcohol and Substance Abuse Center in Plymouth, the women's correctional facility at Framingham and the South Middlesex Correctional Center who were receiving medication-assisted treatment can continue that course of therapy while behind bars, unless it is deemed no longer medically necessary.

In addition, "there will be five pilots for continuing treatment, for people who come in with a valid prescription or under medical care," said Sen. Friedman, describing programs she hopes will be offered in in Hampden, Hampshire, Franklin, Middlesex and Norfolk county jails. Funding for these pilots has not been appropriated...

...The bill also calls for extensive collection of data on MAT, Koutoujian said, to guide future decisions about the program and its effectiveness.

"This is a well thought-out, detailed piece of legislation that will allow for an incredible amount of innovation and data collection," he said. "This will allow us to save lives, protect public safety, and improve our communities..."

...As the Senate was considering the bill, U.S. Attorney Andrew Lelling said such facilities would violate federal law and anyone working at or using one of the sites [could be subject to federal criminal charges](#). The Senate instead adopted an amendment calling for a study of so-called supervised injection facilities.

The departments of Mental Health and Public Health would be given more control over treatment beds in the state under a provision in the bill that would require a determination of need process for new treatment facilities.

The compromise bill also:

- removes the age 18 requirement for purchase of a syringe;
- requires prescribers to check the Prescription Monitoring Program before prescribing a benzodiazepine because these drugs are often taken in conjunction with an opioid and increase the chances of an overdose;
- prohibits discounts and rebates on certain prescription opiates;
- expands access to non-opioid pain management options;
- creates a special commission that will be charged with studying ways "to strengthen Massachusetts consumer protection laws to hold corporations responsible for their role in the opioid epidemic";
- and establishes privacy protections for students age 15 and older who are screened for drug use.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-40 Opioid Addiction Care Access and Prevention
[HB 4742](#)

Summary:

Provides for the prevention and access to appropriate care and treatment of addiction to opioids; establishes a Commission on Community Behavioral Health Promotion and Prevention to promote positive mental, emotional, and behavioral health and early intervention for persons with mental illness and for the prevention of substance use disorders among Commonwealth residents; establishes the Community Behavioral Health Promotion and Prevention Trust Fund.

Status: Enacted

Comments: From [Hometown Weekly](#) (July 26, 2018)

It is no longer unusual to know someone who has become a victim of the opioid epidemic.

Almost every town has seen residents struggle with addiction within the last five years. In 2016 alone, Medfield, Needham, Sherborn, Wellesley, and Westwood each had at least one person who died because of an opioid.

Unfortunately, the epidemic doesn't seem to be slowing down at all.

The number of deaths due to opioids has been on the rise over the last 17 years. From 2000 until 2016, Norfolk County saw 1,284 opioid-related deaths. By 2017, the number had risen to 1,438. Middlesex County recorded 2,593 opioid-related deaths from 2000 until 2016. In 2017, the number had increased to 2,905. There seems to be no sign of these deaths slowing down without any intervention. Instead, it appears that they are increasing at a rapid pace.

These numbers also do not account for the those who are profoundly affected by drug addiction in other ways. There are children who have been born addicted to drugs, and consequently suffer long-term side effects because of it. There are children who have been abandoned by one or both their parents because of drug addiction. There are medical professionals who have been seeking ways to handle this influx of addiction and overdoses within their communities.

A new bill, however, may give new hope to those suffering from addictions and their loved ones. Bill H.4742, an act for prevention and access to appropriate care and treatment of addiction, recently passed the State House unanimously with 147 votes.

Bill H.4742 is split into three sections. The first, "Prevention," outlines steps created to prevent more cases of addiction. It includes allowing patients to only partially fill opioid prescriptions at a time, without paying additional co-pays. It also forbids any discounts and rebates for prescribed opiates, making it more difficult for addicts to afford these medications. Additionally, it instructs providers to check the Prescription Monitoring Program (PMP) before issuing any prescription for a benzodiazepine. The PMP provides providers with information on substances that may lead to addiction.

The second section of the bill, "Strengthen and Expand the Behavioral Health System," establishes steps to help improve addiction-related healthcare. This section notes establishing "statewide remote consultation programs for substance use disorder," as well as increased access to appropriate treatment involving primary care. It also includes the new requirement for electronic prescribing for all controlled substances (with few exceptions) starting in 2020.

The final section, "Treatment and Recovery," includes new programs to help treat those with addictions. This section includes increasing access to Narcan, an opioid-blocking drug that is often used to treat overdoses, without an individual prescription. It also establishes a "two-year pilot programs to offer medication-assisted treatment at 6 prisons." It also provides a new Center for Police Training in Crisis Intervention to aid law enforcement in their attempts to stop their epidemic. Additionally, it provides a "commission to study and make recommendations on the certification of Recovery Coaches." Finally, and perhaps most importantly, it includes the establishment of a commission to study addiction treatment, such as "long-term relapse rates, overdose risk, legal implications, and capacity of the voluntary treatment system."

At the moment, it is unknown whether or not Bill H.4742 will lower the number of opioid deaths in Massachusetts each year. However, Representatives Garlick and Dooley are hopeful that it will work.

In a press release about the bill, Representative Shawn Dooley expressed the significance and the importance of addressing the epidemic. "The opioid crisis is by far and away the number one public health crisis in the Commonwealth," said Dooley. "As a firefighter and EMT I see this issue plaguing our communities here in the 9th Norfolk District. This isn't just a city issue, it isn't just a rural issue, it isn't just a regional issue, it is a statewide plague that we must work to stop. I am proud to have not only supported but also contributed to this important bill. It is by no means the last step, however. We must continue to work to fight this societal evil."

"The legislation looks to the future and says that a focus on prevention in the community and strengthening and expanding the behavioral health system will stem the tide," read a statement from Representative Denise Garlick, chairperson of the Joint Committee on Mental Health, Substance Use and Recovery. "It looks to the present and says, 'we are in this battle together to save lives through care and treatment,' addressing the urgency that this is truly a life or death issue throughout the Commonwealth. Many of the resources in this bill will be available immediately -- removing barriers to desperately

needed care and giving individuals, families and communities the tools they need, when they need them, where they need them.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-41 Opioid and Benzodiazepine Prescriptions
[HB 653](#)

Summary:

Requires that certain patients be advised of the benefits and risks associated with the prescription of certain opioids and benzodiazepines under certain circumstances; provides that a violation of this Act is grounds for disciplinary action by a certain health occupations board.

Status: Enacted

Comments: From [Baltimore Business Journal](#) (February 27, 2018)

Maryland legislators are trying to tackle the state's opioid use and overdose problem with proposals ranging from new educational requirements to life-monitoring apps.

The state is among many across the country in which opioid issues have come into the spotlight over the past several years, as use, overdose and death rates continue to rise. In Maryland alone, more than 2,000 people died due to drug overdose in 2017 — and in Baltimore, people have been dying of opioid overdose at a rate of about two per day.

Eleven bills, including two that were cross-filed in both the House of Delegates and the Senate, aiming to address the ongoing opioid epidemic are now being considered by Maryland legislators.

One that has already garnered support from outside organizations is Senate Bill 522/House Bill 653. The bill calls for a requirement for any care provider prescribing an opioid drug to adequately inform their patients about the related dangers and potential addiction risks of the medication. Prevent Opioid Abuse, a national organization that works to educate patients about the risks of opioid-based painkillers, applauded the introduction the bill in a statement last week, noting similar laws have already been passed in states like New Jersey, Rhode Island and Nevada.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A
() Include in Volume

- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-42 Opioid Addiction
[SB 139](#)

Summary:

Exempts certain institutions of higher education from the requirement to establish a policy that addresses heroin and opioid addiction and prevention; relates to the storing of naloxone; relates to training campus police or other designated personnel on how to recognize the symptoms of an opioid overdose; requires those institutions to provide students with specified resources.

Status: Enacted

Comments: From [Baltimore Business Journal](#) (February 27, 2018)

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Here are the other opioid epidemic-battling bills being considered in the General Assembly this session:

Higher education prevention policies: Senate Bill 139 calls for any higher education institution that receives state funding to provide opioid addiction and prevention awareness training for incoming students. It would also require the institutions to store doses of the overdose-reversal drug naloxone in case of emergency. The University of

Maryland, University College, the University of Maryland Center for Environmental Science and any off-campus location of an institution are exempted from the policy. The bill has already passed in the Senate with a 46-0 vote.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-43 Prescribing and Dispensing of Naloxone Hydrochloride
[HB 1325](#)

Summary:

Clarifies that a pharmacist may prescribe and dispense naloxone hydrochloride to an individual of any age who is at risk of experiencing an opioid related drug overdose, to a member of the immediate family of, or a friend of, an such individual, or someone who is in a position to assist an individual at risk of experiencing an opioid related drug overdose.

Status: Enacted

Comments: From the [Press Herald](#) (April 13, 2018)

A bill that would remove age restrictions on Mainers who want to buy the anti-overdose drug naloxone without a prescription is on its way to the desk of Gov. Paul LePage after the Republican-controlled Maine Senate unanimously endorsed the measure Friday. Sponsored by Speaker of the House Sara Gideon, D-Freeport, the bill is in response to a demand by LePage that the state Board of Pharmacy create rules limiting non-prescription access to the drug to those 21 or older.

LePage has previously vetoed legislation aimed at expanding access to the antidote, even as Maine deaths from overdoses increased to more than one a day. In 2017, a record 418 people died of drug overdoses in Maine, the vast majority from opiates. In April 2016, the Legislature passed a bill directing the Board of Pharmacy to adopt rules allowing pharmacists to dispense naloxone – also known as Narcan – without a prescription to help address Maine’s worsening opioid addiction crisis. But the rules were never adopted due, at first, to unclear language but more recently because of a six-month delay caused largely by the LePage’s refusal to sign off on them.

Earlier in the week, the House voted 132-7 in support of Gideon’s bill, which would eliminate age limits for over-the-counter naloxone sales. LePage will have 10 days to sign or veto the bill, otherwise it will become law without his signature.

“Overdoses can strike anyone at any time and in every opportunity, we should be trying

to save every life possible,” Gideon said in a prepared statement. “While the holdup of Narcan dispensation has been beyond frustrating, I want to thank (lawmakers) for advancing this piece of legislation. We can no longer ignore the impact of this epidemic, disregard the underlying causes or the lack of access to needed treatment and clearly, we can no longer delay access to life-saving medicine.”

In February, the Board of Pharmacy voted to only allow adults age 21 or over to obtain naloxone from a pharmacist without a prescription in a compromise with Gov. Paul LePage’s office. At a public hearing on the rules on April 5, nearly a dozen speakers argued there is no medical or health reason to restrict naloxone to individuals age 21 and older.

The Board of Pharmacy’s public comment period on the rule change closes April 15. “This legislation seeks to redress the previous actions, which had no basis in medical research or expert opinion and directly contradicted legislative intent,” Gideon said in a prepared statement. “To truly start combating this epidemic, we need cooperation and leadership from all branches of government, including the Executive Branch. Every aspect of Maine’s economy, community safety and family stability will continue to suffer if we do not make progress on this crisis.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-44 Opioid Crisis
[SB 714](#)

Summary:

Implements a recommendation of the Task Force to Address the Opioid Crisis in the state; replaces references to substance abuse with substance use disorder; replaces references to addict with person with substance use disorder; defines person with substance use disorder and defines substance use prevention; makes technical and conforming corrections.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-45 Disposal of Unused Controlled Substances
[SB 826](#)

Summary:

Relates to the disposal of unused controlled substances; relates to a practitioner, other than a veterinarian, shall not issue an initial prescription for more than a seven-day supply of any opioid controlled substance upon the initial consultation and treatment of a patient for acute pain.

Status: Enacted

Comments: From [US News](#) (Marsh 5, 1028)

If made law, the measure would allow for drop-off boxes for unused prescriptions at pharmacies approved by the Drug Enforcement Agency. Currently, local pharmacies are barred from taking prescriptions they didn't dispense.

Republican sponsor Rep. Jay Barnes says the goal is to help combat the opioid crisis.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-46 Regulation of Opioid Drugs
[SB 1446](#)

Summary:

Relates to regulation of opioid drugs; relates to license reregistration; directs Board of Medical Licensure and Supervision to require certain continuing medical education; provides that failure to properly utilize central repository is grounds for certain disciplinary action; requires practitioners to disclose health risks associated with opioids; directs licensing boards to develop guidelines.

Status: Enacted

Comments: From [News OK](#) (March 14, 2018)

...Senate Bill 1446 would allow only a seven-day initial supply of the medication in most cases. It also puts more stringent limits on doctors writing a second weekly prescription for opioid-based pain medications. To write a second prescription, doctors would have to determine it's necessary, and there is no risk of abuse, addiction or diversion to another person.

Doctors would also have to talk with their patients about the drugs, and the dangers posed if someone abuses opioids.

"Senate Bill 1446 addresses the opioid crisis by limiting the initial prescriptions," said the author, state Sen. Anthony Sykes, R-Moore. "Furthermore, the prescribing physician and the patient must have a plan for subsequent opioid prescriptions."

According to the recently released report by the Oklahoma Commission on Opioid Abuse, 60 percent of overdose deaths in 2016 were attributable to prescription drugs, compared to 40 percent of deaths attributed to illegal drugs.

The report acknowledged that the medical community has a unique position to help prevent deaths in the opioid epidemic.

"This legislation will save lives and prevent addiction," Sykes said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-47 Controlled Dangerous Substances
[HB 2798](#)

Summary:

Relates to public health and safety; creates the Opioid Overdose Fatality Review Board; provides for codification; relates to controlled dangerous substances; relates to Executive Sessions; modifies inclusions; creates the Opioid Abuse Prevention and Treatment Act of 2018; provides for powers and duties.

Status: Enacted

Comments: From [News OK](#) (April 12, 2018)

Oklahoma lawmakers finishing committee work this week tackled more than half a dozen bills written to address opioid addiction, the leading cause of unintentional deaths in the United States.

The legislation would put limits on health professionals writing prescriptions, encourage people to report overdoses and monitor pain management clinics.

Another bill, House Bill 2798, creates the Opioid Overdose Fatality Review Board that will spend the next five years reviewing and reporting data on overdose deaths.

State Sen. A.J. Griffin, R-Guthrie, said Wednesday that overdose deaths in Oklahoma have increased by 91 percent in the past 15 years, and 68 percent in the last decade.

"This is a public health crisis that is affecting not only our state but the nation," she said. "It's tearing Oklahoma families apart.

"We must act quickly to do all we can to stop any more senseless deaths including getting the Commission on Opioid Abuse's legislative recommendations enacted into law."

The commission has recommended several proposed laws this year, including one signed by Gov. Mary Fallin this week that would criminalize the trafficking of fentanyl.

This is the final week for legislation to be heard in House and Senate committees. Griffin sponsored three opioid-related bills in the Senate Appropriations Committee.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-48 Director of Department of Consumer and Business Service
[HB 4143](#)

Summary:

Directs the Director of Department of Consumer and Business Services to study barriers to medication assisted treatment for substance use disorders, including addictions to opioids and opiates; directs the State Health Authority to implement a pilot project to place peer recovery support mentors in emergency departments to support persons who suffer from opioid and opiate overdoses; provides for registering practitioners with the Prescription Monitoring Program.

Status: Enacted

Comments: From News Channel 21 (March 2, 2018)

...[House Bill 4143](#)...requires the Department of Consumer and Business Services, in consultation with Oregon Health Authority, to study and report on existing barriers to effective treatment for, and recovery from, substance use disorders.

The bill also requires OHA to establish a pilot project in Coos, Jackson, Marion and Multnomah counties which can include the following elements:

- Creating a direct link between an emergency department and appropriate treatment and resources;
- Using peer recovery support mentors to facilitate the link between an emergency department and treatment resources; and
- Any other programming aimed at reducing deaths caused by opioid and opiate overdoses by providing persons who suffer from overdoses with immediate access to treatment and resources.

It also requires practitioners to register with Oregon's Prescription Drug Monitoring Program to ensure the development, administration and evaluation of best practices prescribing opioids and opiates...

"...Insurance barriers to treatment and recovery support exist across the board and are not limited simply to those suffering from addiction to opioids," Marshall said. "Identifying those barriers and identifying solutions will also positively improve the state's Alcohol and Drug Policy Commission's efforts to create a new continuum of care model. Although the intention of HB 4143 is to tackle the challenges of the opioid epidemic, it will have a much larger, positive impact on the state's efforts to reduce Oregon's exceptionally high addiction rates and increase the number of people in recovery..."

...With an opioid epidemic plaguing communities across Oregon, the Oregon House of Representatives late Thursday passed [House Bill 4143](#) which establishes a pilot project to tackle the issue.

The pilot would determine the effectiveness of immediate access to evidence-based treatment for persons who overdose on opioids. This includes using peer recovery support mentors to facilitate the link between the emergency department and appropriate treatment and resources...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-49 Naloxone Access
[HB 8313](#)

Summary:

Requires the Department of Health to develop best practices for coprescribing opioid antagonists to patients who are prescribed opioid analgesics.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-50 Good Samaritan Overdose Prevention Act
[HB 8333](#)

Summary:

Allows police and medical personnel to provide an opioid antagonist with instructions for use to individuals or their family who are at risk of a future overdose.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-51 Opioid Prescription Requirements
[HB 3819](#)

Summary:

Establishes requirements relating to prescribing opioid analgesics to minors; requires discussing the risks of addiction and overdose with the minor.

Status: Enacted

Comments: From [ABC 15 News](#) (June 5, 2018)

...**H.3819: *Prescriptions to minors:*** Requires that doctors speak with minors in educating them and their families on opioids before prescribing said opioids and to assess whether the minor may have a mental health or substance use disorder issue. It also requires a consent form known as “Start Talking” to be signed by a minor’s parent/guardian after the doctor discusses the opioids that are being prescribed.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-52 Initial Opioid Prescriptions

[SB 918](#)**Summary:**

Revises provisions relating to prescriptions; establishes limitations for initial opioid prescriptions; requires the Department of Health and Environmental Control to provide prescription report cards to practitioners; relates to confidentiality of Prescription Monitoring Program data; provides an exception for purposes of practitioner prescription report cards.

Status: Enacted**Comments:** From [ABC 15 News](#) (June 5, 2018)

...**S.918:** *Opioid prescriptions, limits, prescription report cards:* The bill establishes a seven-day limit on the initial prescription of opioids for acute pain management or post-operative pain management, except when clinically indicated for cancer pain, chronic pain, hospice care, palliative care, major trauma, major surgery, treatment of sickle cell disease, treatment of neonatal abstinence syndrome, or medication-assisted treatment for substance use disorder. The bill also tasks DHEC to develop and maintain as part of the prescription monitoring program, a system to provide prescription report cards to practitioners to inform the practitioner about certain prescribing trends.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-53 Opioid Induced Deaths
[SCR 4](#)

Summary:

Recognizes the devastating effects of the sudden death of state residents from opioid induced postoperative respiratory depression; urges further study of this issue; encourages physicians to prescribe in home monitoring devices for patients who are discharged with opioids after surgery.

Status: Enacted

Comments: From the [Deseret News](#) (April 23, 2018)

...[SCR4 received unanimous support](#) in every committee meeting where it was presented, and on the floor of the House and Senate. It was officially signed by the governor on March 15.

The resolution urges the state Health Department, hospitals, doctors, and medical researchers to examine and identify a possible link between prescribed opiate painkillers and respiratory depression following surgery that could lead to death. It also encourages doctors to send postoperative patients home with an oxygen monitoring device when opioids are prescribed, if appropriate.

Catten, who practices at both Ashley Regional Medical Center and Uintah Basin Medical Center, began sending pulse oximeters home with postoperative patients almost immediately after Parker's death.

"It is easy to monitor them, and it'll save lives. It already has in our community," said Catten, who is collaborating with Shay Uresk at Uintah Basin Medical Center's sleep lab and Kim Bennion, Intermountain Healthcare director of respiratory care, to research the effectiveness of pulse oximeter use by postoperative patients at home.

In a case documented during the trio's early research, a 15-year-old tonsillectomy patient in Uintah County took pain medication as prescribed, then went to bed wearing the pulse oximeter she'd been given. At 4 a.m., the device alerted her parents that there was a problem. Their daughter wasn't breathing. She had no pulse.

CPR was started and ambulance crews administered four doses of Narcan. They were able to revive the girl, who recovered fully and attended the governor's ceremonial signing of Parker's Bill.

IHC is now piloting a program that will allow medical staff at its hospitals to remotely monitor pulse oximeter readings of patients when they're at home, providing an extra layer of safety, Catten said. Uintah Basin Medical Center is expected to follow suit shortly, he said.

For Catten, though, simply monitoring pulse oximeters isn't enough. The critical component of Parker's Bill, as he sees it, is the direction to the Health Department and other medical professionals to collect data on the postoperative effects of opioid painkillers on patients.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-54 Medication Assisted Treatment for Inmates
[SB 166](#)

Summary:

Enables opioid dependent inmates to receive medication assisted treatment in state correctional facilities from providers employed by opioid treatment programs throughout the state.

Status: Enacted

Comments: From the [VT Digger](#) (April 27, 2018)

...Representatives on Friday gave final approval to a version of [S.166](#) that says Vermont inmates should be able to receive medication-assisted treatment behind bars even if they had not been undergoing such treatment before their arrest.

In contrast with the Senate's version of the bill, the House's amendment eliminates the current 120-day cap on medication-assisted treatment in prison. It also says addiction treatment must be part of "re-entry planning" for inmates who will soon be released.

Overall, the latest draft of S.166 takes a stronger stance on the importance of bolstering prison-based services for inmates who are struggling with addiction.

"It is the intent of the General Assembly that medication-assisted treatment offered at or facilitated by a correctional facility is a medically necessary component of treatment for inmates diagnosed with opioid use disorder," the bill says...

...The Senate's version, [approved last month](#), adds buprenorphine and methadone to the list of drugs inmates are entitled to continue receiving after incarceration. It also called for all inmates to be screened for "opioid use disorders" within 24 hours of imprisonment.

The Senate bill expanded medication-assisted treatment by allowing inmates to start receiving buprenorphine even if they hadn't had a prescription on the outside. But the bill gave state officials until Oct. 1 to figure out how to expand the use of methadone in prisons...

...Wider availability of methadone isn't the only new feature in the House bill. Other revisions include:

- The legislation says inmates should receive medication-assisted treatment "for as long as medically necessary," thus eliminating the department's 120-day time limit for such services...

- The bill attempts to clearly delineate what qualifies as “medically necessary.” The term is defined in part as “health care services that are appropriate in terms of type, amount, frequency, level, setting and duration to the individual’s diagnosis or condition, are informed by generally accepted medical or scientific evidence and are consistent with generally accepted practice parameters.”
- Medication-assisted treatment must be part of release planning for inmates who require it. If such treatment can’t start before release, “the department shall ensure comprehensive care coordination with a community-based provider,” the legislation says.
- The House also added a provision that says the Corrections Department must submit to the Legislature an evaluation of the treatment program’s effectiveness by January 2022.
- Lawmakers said they’ve allocated money in fiscal year 2019 for expansion of medication-assisted treatment in the state’s prisons. A [fiscal note](#) prepared by the Legislative Joint Fiscal Office says the enhanced program is expected to cost \$800,000 to \$850,000 annually.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-55 Medication Assisted Treatment Costs
[SB 225](#)

Summary:

Establishes guidelines for pilot programs for coverage by commercial health insurers of costs associated with medication assisted treatment; supports the costs of funding licensed alcohol and drug counselors, and other medical professionals who support pharmacological treatment of opioid addiction but who are not affiliated with an authorized treatment program.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-56 Controlled Substances
[SB 78](#)

Summary:

Relates to controlled substances; creates an opioid addiction task force; specifies task force duties, membership and staffing; provides appropriations; provides for an effective date.

Status: Enacted

Comments: From [US News](#) (July 12, 2018)

Members of the [Wyoming](#) Legislature's Joint Opioid Addiction Task Force met for the first time this week to discuss the statewide issue of prescription opioid abuse.

The Wyoming Tribune Eagle reports the task force, during its meetings in Riverton, addressed issues of opioid education in the state, and working with health care providers, pharmacists and law enforcement to address significant improvement areas.

A primary consideration for the members was updating mandatory education for providers and dispensers.

Members of the task force include: Sen. Eli Bebout, R-Riverton; Sen. Fred Baldwin, R-Kemmerer; Rep. Scott Clem, R-Gillette; Rep. Albert Sommers, R-Pinedale, and a number of statewide health care and law enforcement officials.

The task force will submit a preliminary summary to the Joint Labor, Health and Social Services Interim Committee, Joint Appropriations Committee, Management Council and the governor by Oct. 1.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle

() Reject

Comments/Note to staff

07-40A-57 Behavioral Health Care Ombudsman Parity Reports
[HB 18-1357](#)

Summary:

Concerns access to behavioral health care services; establishes an ombudsman for behavioral health access to care to assist consumers in accessing care; requires the Commissioner of Insurance to report on compliance with mental health parity laws; makes an appropriation.

Status: Enacted

Comments: From the American Psychiatric Association (August 9, 2018)

...Mental health parity reporting laws were passed in five states this past legislative session. Although the specific provisions in the laws vary, they will help enforce existing mental health parity laws by requiring health plans to improve their reporting practices on the subject.

Colorado HB 18-1357 was signed into law May 24. It requires the commissioner of insurance to report on compliance with mental health parity laws, establishes an office of the ombudsman to assist state residents in accessing behavioral health care, and appropriates \$94,000 to implement the bill...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-58 Prescription Drugs: Naloxone Hydrochloride
[AB 2760](#)

Summary:

This bill would require a prescriber, as defined, to offer a prescription for naloxone hydrochloride or another opioid antagonist to a patient when certain conditions are present and to provide education on overdose prevention and the use of naloxone hydrochloride or another opioid antagonist the patient and specified others. The bill would make a violation of the bill's provisions unprofessional conduct and would subject the prescriber to discipline by the board charged with regulating his or her license.

Status: Enacted

Comments: CDC guidelines suggest a co-prescription at 50 MME opposed to 90 MME. Additionally, similar enacted legislation in AZ & VA state "shall prescribe" opposed to "shall offer a prescription."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-59 The Uniform Parentage Act
[SB 6037](#)

Summary:

The Uniform Parentage Act (2017) provides states with a uniform legal framework for establishing parent-child relationships. This act updates prior versions of the UPA, last revised in 2002.

Status: Enacted

Comments: From Uniform Law Commission:

The Uniform Parentage Act (UPA) provides states with a uniform legal framework for establishing parent-child relationships. UPA (2017) updates prior versions of the UPA, last revised in 2002 (UPA (2002)).

The UPA was originally promulgated in 1973 (UPA (1973)). UPA (1973) removed the legal status of illegitimacy and provided a series of presumptions used to determine a child's legal parentage. When the UPA was revised in 2002, it augmented and streamlined UPA (1973). UPA (2002) added provisions permitting a non-judicial acknowledgment of paternity procedure that is the equivalent of an adjudication of parentage in a court and added a paternity registry. UPA (2002) also included provisions governing genetic testing and rules for determining the parentage of children whose conception was not the result of sexual intercourse. Finally, UPA (2002) included a bracketed (optional) Article 8 to authorize surrogacy agreements and establish the parentage of children born under the agreements.

UPA (2017) makes **five major changes** to the UPA. First **(1)**, UPA (2017) seeks to ensure the equal treatment of children born to same-sex couples. UPA (2002) was written in gendered terms, and its provisions presumed that couples consist of one man and one woman. In *Obergefell v. Hodges* (2015), the United States Supreme Court held that laws barring marriage between two people of the same sex are unconstitutional. In *Pavan v. Smith* (2017), the Court reaffirmed that conclusion applies to rules regarding children born to same-sex spouses. After these decisions, parentage laws that treat same-sex couples differently than different-sex couples are likely unconstitutional. UPA (2017) updates the Act to address this potential constitutional infirmity by amending provisions so that they address and apply equally to same-sex couples. These amendments include broadening the presumption, acknowledgment, genetic testing, and assisted reproduction articles to make them gender-neutral. In addition to helping states comply with the Constitution, these updates provide clarity to these families and avoid unnecessary litigation.

Second **(2)**, UPA (2017) includes a provision for the establishment of a de facto parent as a legal parent of a child. Most states recognize and extend at least some parental rights to people who have functioned as parents to children but who are unconnected to

those children through either biology or marriage. New Section 609 provides a statutory process for the recognition of such individuals as parents.

Third **(3)**, UPA (2017) includes a provision that precludes establishment of a parent-child relationship by the perpetrator of a sexual assault that resulted in the conception of the child. The U.S. Congress adopted the Rape Survivor Child Custody Act in 2015, which provides incentives for states to enact “a law that allows the mother of any child that was conceived by rape to seek court-ordered termination of the parental rights of her rapist with regard to that child, which the court shall grant upon clear and convincing evidence of rape.” New Section 614 provides language to implement the federal law.

Fourth **(4)**, UPA (2017) updates the surrogacy provisions to reflect developments in that area, making them more consistent with current surrogacy practice and recently adopted statutes in several states.

Finally **(5)**, UPA (2017) includes a new article – Article 9 – that addresses the right of children born through assisted reproductive technology to access medical and identifying information regarding any gamete providers. While Article 9 does not require disclosure of the identity of a gamete donor, it does require that donors be asked whether they would like their identity disclosed. It also requires a good faith effort to disclose nonidentifying medical history information regarding the gamete donor upon request.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-60 Health Insurance – Coverage of Fertility Preservation Procedures
[SB 271](#)

Summary:

This legislation requires, *except under certain circumstances*, certain insurers, nonprofit health service plans, and health maintenance organizations that provide certain benefits under certain insurance policies or contracts to provide coverage for certain fertility preservation procedures; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to health insurance coverage for fertility preservation procedures.

Status: Enacted

Comments: From the [American Society for Reproductive Medicine](#) (May 16, 2018):

Maryland Governor Larry Hogan has signed into law a bill to require insurance coverage of fertility preservation treatment for those at risk of iatrogenic infertility, making it the third state to do so behind Connecticut and Rhode Island, which both passed laws in 2017. The new law applies to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2019.

ASRM applauds Senator James Mathias and Delegate Joseline Pena-Melnyk for championing this important legislation ([SB271/HB908](#)) and working diligently with the infertility and cancer communities to advance it. ASRM was proud to work with these lawmakers and its partners in this two-year effort including, The Alliance for Fertility Preservation, the Ulman Cancer Fund for Young Adults, RESOLVE: The National Infertility Association, and Ferring Pharmaceuticals. ASRM members at Shady Grove Fertility were also instrumental in its passage, as were medical oncology professionals and of course, patients, who shared powerful personal stories about the need and medical necessity of fertility preservation coverage.

Dr. Stephanie Beall, who attended the bill signing ceremony and who testified before the legislature on behalf of Shady Grove Fertility in support of the bill, called this occasion “a day of profound importance to cancer patients, the doctors who treat them and the families that these patients hope to welcome in the future.” She added, “I am proud to have been part of movement to educate policymakers on the importance of fertility preservation.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-61 Prescription Drug Pricing
[SB 282](#)

Summary:

Creates and defines the term "excess consumer cost burden" as the amount an enrollee pays that is greater than the amount the enrollee's issuer pays or would pay absent cost sharing, after accounting for an estimate of at least fifty percent of future rebate payments for the enrollee's actual point of sale prescription drug claim. Requires issuers to disclose to current and prospective enrollees if they may be subject to excess consumer cost burden and make available to the insurance commissioner information on percentage of rebates that was made available to enrollees at the point of sale. Includes confidentiality provisions to prevent disclosure of individual and proprietary rebate information.

Status: Enacted

Comments: From [The Times-Picayune](#) (June 4, 2018):

Gov. John Bel Edwards has signed two pieces of legislation aimed at regulating drug pricing and providing more transparency in how prices are set.

Sen. Fred Mills, a pharmacist and author of SB 282 and SB 283, said in a phone interview that he hopes the laws "will bring a lot of transparency for patients" by requiring pharmaceutical benefit managers, also known as PBMs, to share more information about how they operate in Louisiana.

PBMs are companies that act as a middleman between insurers, pharmacies, and drug manufacturers. They help manage how much insurers pay for prescription drugs, how much pharmacies are reimbursed for the cost of the drug, and what drugs are available on formularies, the lists of medications covered by a specific insurance plan.

They also negotiate price rebates from drug makers to insurers, usually in exchange for lower co-pays on certain -- usually brand name -- medications. Consumers are more likely to purchase the brand name drug with the lower co-pay, benefitting the drug maker. PBMs often keep a portion of the rebate for themselves.

However, rebates don't typically get passed on to the consumer.

Those rebates can add up quickly, amounting to millions of dollars. Altarum, a health systems research and consulting firm, estimates health insurers nationwide received an estimated \$86 billion in rebates in 2016 alone. That analysis included both public and private insurers.

The practice is legal, but Mills explained the role PBMs play in negotiating prices makes it difficult for consumers to know where the rebates are going and how drug prices are being regulated.

Moving forward, Louisiana's Department of Insurance will be required to publish information about PBMs operating in Louisiana, including the formularies they manage and any changes made to that list. Starting June 1, 2020, PBMs will also be required to disclose an annual report that shares the percentage of any rebates received from drug manufacturers for formulary drugs.

Additionally, health insurance issuers will be required to let enrollees know when they are being charged more for a prescription drug than the issuer itself pays. That includes cases where the insurance issuer is getting a return after a rebate payment on prescription drug.

"I think this will bring a lot more transparency for the consumer," Mills said. "Basically, it demands that rebates are disclosed and could give the consumer the opportunity to negotiate a better deal for their prescriptions."

Mills' bills were two of at least 83 targeting PBMs that were introduced by state lawmakers nationwide this year, according to the National Academy for State Health Policy. The group reports some of those bills sought to outlaw so-called "gag clauses," which prevent pharmacists from telling consumers when there are cheaper prescription drug alternatives available. Some of the bills, similar to the Louisiana laws, require more disclosures about the dealings between PBMs, health insurers and pharmacies.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

07-40A-62 Pharmacy Benefit Managers
[SB 282](#)

Summary:

Requires a Pharmacy Benefit Manager (PBM) to submit an annual transparency report to the Commissioner of Insurance with the following information to be published on the Department's website with the health benefit plan's formulary and timely notification of any changes: aggregate amount of all rebates the PBM received from pharmaceutical manufacturers; aggregate administrative fees that the PBM received; aggregate rebates that the PBM received from pharmaceutical manufacturers and did not pass through to the health benefit plan or health insurance issuer; and the highest, lowest and mean aggregate retained rebate percentage. Requires drug manufacturers to notify the Commissioner of Insurance of a price increase of fifty percent or more for a drug with a wholesale acquisition cost of more than one hundred dollars within 30 days of the increase. Protects and exempts all proprietary information from public records requests.

Status: Enacted

Comments: From [The Times-Picayune](#) (June 4, 2018):

Gov. John Bel Edwards has signed two pieces of legislation aimed at regulating drug pricing and providing more transparency in how prices are set.

Sen. Fred Mills, a pharmacist and author of SB 282 and SB 283, said in a phone interview that he hopes the laws "will bring a lot of transparency for patients" by requiring pharmaceutical benefit managers, also known as PBMs, to share more information about how they operate in Louisiana.

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Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-01 Nondisclosure Agreements
[HB 2020](#)

Summary:

Revises provisions relating to sexual assault and sexual harassment; relates to nondisclosure agreements; provides that the terms of a nondisclosure agreement may not be used to prohibit a party to the agreement from responding to a peace officer's or a prosecutor's inquiry or making a statement not initiated by that party in a criminal proceeding; prohibits public monies from being used as consideration in exchange for a nondisclosure agreement related to sexual assault or sexual harassment.

Status: Enacted

Comments: From the [Arizona Central](#) (April 12, 2018)

Victims of sexual assault and sexual harassment who signed non-disclosure agreements could break their contracts in certain circumstances under a bill that is one step from becoming law.

On Thursday, [House Bill 2020](#) unanimously passed the Senate after passing the House of Representatives, and previous committees, unanimously. It now awaits Gov. Doug Ducey's signature or veto.

Under the bill, people who previously signed non-disclosure agreements would be allowed to break those agreements without penalty if asked by law enforcement or during a court proceeding.

Rep. Maria Syms, R-Paradise Valley, said the [case of former USA Gymnastics team doctor Larry Nassar](#) and stories that have emerged in the wake of the #MeToo movement motivated her to draft the bill.

Syms said the bill ends the "silencing" of victims through agreements she calls a "[sexual predator loophole](#)."

"We don't want victims to be prevented from coming forward in criminal cases because we have an overriding public safety interest as a state in making sure these predators are stopped." Syms said...

...HB 2020 also prohibits public officials in Arizona from using taxpayer money to settle sexual harassment or sexual misconduct claims...

...The original bill, before it was amended, would have voided all non-disclosure agreements in these types of situations, including civil cases, allowing victims to speak publicly without fear of legal retaliation...

...Jason Vail Cruz, public policy coordinator for the Arizona Coalition to End Sexual and Domestic Violence, said the bill is a "good step forward," to helping combat financially privileged and powerful perpetrators who silence victims through contracts.

But Cruz said a "comprehensive" approach by the Legislature is needed to address other issues of sexual misconduct and abuse. As lawmakers begin debating budget issues, Cruz said his group wants more state funding for sexual violence services such as rape crisis centers.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-02 Legal Services Rendered for Nonprofits
[HB 645/SB 534](#)

Summary:

Allows licensed attorneys employed by nonprofit membership associations to provide legal services to the members of those nonprofit membership associations.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-03 Law Enforcement: Sharing Data
[SB 54](#)

Summary:

Prohibits certain agencies, school police, and security departments from using money or personnel for specified activities concerning immigration enforcement. Provides for provisions to circumstances in which a law enforcement official has discretion to cooperate. Requires law enforcement agencies to report to the department, annually, regarding transfers of persons to immigration authorities. Requires the Attorney General to publish guidance, audit criteria, and training recommendations.

Status: Enacted

Comments: From the [Orange County Register](#) (May 4, 2018)

The premise of SB54 is that local and state law enforcement authorities may not use resources, including personnel or facilities, to investigate or arrest people for federal immigration enforcement purposes. The law builds on a 2013 state law called the California Trust Act, which prohibited local agencies from holding potentially deportable immigrants for U.S. Immigration and Customs Enforcement (ICE) unless those detainees had been convicted of serious or violent felonies, or misdemeanors that could be classified as felonies.

SB54 doesn't allow for holds any longer, but it does allow for the transfer of inmates on hundreds of offenses, including assault, battery, sexual abuse and exploitation, rape, crimes endangering children, burglary, robbery, theft, fraud, forgery, a crime resulting in death, gang-related offenses, some domestic violence offenses, drug and weapon-related offenses and felony (but not misdemeanor) driving under the influence convictions.

Here are some other things that law enforcement in California can't do under the new law:

- Ask someone about their immigration status or detain them solely because of their status.
- Hold someone in jail past their release date at ICE's request.
- Assist in arrests based on civil immigration warrants.
- Provide release dates or other information about a detainee unless that information is available to the public or the individual has a criminal conviction for one of the excepted crimes or has a qualifying criminal charge and has had a probable cause finding as to that charge.
- Provide office space for federal immigration authorities to use in local jail facilities.

- Cooperate with ICE in cases where an individual has been arrested, detained, or convicted for an offense that is a misdemeanor but was a felony prior to the passage of Prop. 47, which reduced penalties for some crimes in California.

Here's what law enforcement can do under SB54:

- Respond to notification and transfer requests from ICE when the individual has been convicted or charged with certain crimes specified by state law.
- Respond to notification requests if release dates and times are already publicly available.
- Permit ICE agents to interview someone in jail and prison if certain requirements are met.
- Participate in a joint law enforcement task force as long as the primary purpose is not immigration enforcement.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-04 Pretrial Release or Detention: Pretrial Services

[SB 10](#)**Summary:**

Repeals existing laws regarding bail and requires that any remaining references to bail refer to the procedures specified in the bill, as of a specified date. Requires persons arrested and detained to be subject to a pretrial risk assessment conducted by Pretrial Assessment Services, as defined. Requires the courts to establish pretrial assessment services. Requires a person arrested for a misdemeanor to be booked and released without a risk assessment. Requires victims of crime to be given certain notice.

Status: Enacted

Comments: From the [Sacramento Bee](#) (Aug. 28, 2018)

...Under Senate Bill 10, California will replace bail with “risk assessments” of individuals and non-monetary conditions of release. Counties will establish local agencies to evaluate any individual arrested on felony charges for their likelihood of returning for court hearings and their chances of re-arrest.

A person whose risk to public safety and risk of failure to appear is determined to be “low” would be released with the least restrictive non-monetary conditions possible. “Medium-risk” individuals could be released or held depending on local standards. “High-risk” individuals would remain in custody until their arraignment, as would anyone who has committed certain sex crimes or violent felonies, is arrested for driving under the influence for the third time in less than 10 years, is already under supervision by the courts or has violated any conditions of pretrial release in the previous five years...

...The American Civil Liberties Union of California, an original co-sponsor of the measure, and other organizations [pointed to provisions](#) giving judges greater discretion during the arraignment hearing to decide whether to release an individual and on what conditions. SB 10 also introduces a process for the prosecution to file for “preventive detention,” blocking the defendant’s release pending a trial, if they believe there are no conditions that would ensure public safety or their appearance in court...

... Eliminating bail is as much about reducing the jail population and addressing racial disparities in criminal justice as it is about financial concerns, Dooley-Sammuli said. In negotiating a compromise with Brown and the California judiciary, she said, the authors of SB 10 abandoned those principles....

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-05 Enforcement of Immigration Laws
[SF 481](#)

Summary:

Relates to the enforcement of immigration laws; provides penalties and remedies; includes the denial of state funds to certain entities; provides that a law enforcement agency in this state that has custody of a person subject to an immigration detainer request issued by United States immigration and customs enforcement shall fully comply with any instruction made in the detainer request and in any other legal document provided by a federal agency; prohibits restriction on enforcement of immigration law.

Status: Enacted

Comments: From the [Des Moines Register](#) (April 10, 2018)

Iowa cities and counties that intentionally violate federal immigration law will have their state funding revoked under a bill signed into law by Gov. Kim Reynolds Tuesday.

Senate File 481 targets so-called sanctuary communities across the state and has drawn widespread debate in the Capitol and across the state. It takes effect July 1.

...Supporters say the new law will maintain public safety and uphold the rule of law, but critics argue that Iowa has no sanctuary cities and that the bill will only stoke racial fears that could fuel discrimination...

What's required under the new law:

A "local entity" cannot "adopt or enforce a policy or take any other action" that "prohibits or discourages the enforcement of immigration laws."

Local entities can't prohibit or discourage law enforcement officers or other employees from "assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance."

Local entities can't prohibit or discourage law enforcement or other officials from inquiring about the immigration status of a person who is under arrest, sharing that information with other authorities, or assisting federal immigration officers as reasonable or necessary

Local entities and their employees can't ask about the national origin of a person who is the victim of a crime, witness of a crime or is otherwise reporting a crime unless it's pertinent to the investigation.

Each state or local law enforcement agency subject to the new requirements must put in writing any unwritten or informal policies relating to the enforcement of immigration laws and update those policies to be in compliance with the new law.

Those people who are enforcing the law "shall not consider race, skin color, language spoken, or national origin" while doing so.

Allows local entities to apply for reinstatement of lost funding after 90 days.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-06 Criminal Hazing
[HB 78](#)

Summary:

Creates the crime of criminal hazing; provides exceptions, definitions, and criminal penalties; provides consequences imposed by an education institution for certain acts of hazing.

Status: Enacted

Comments: From the [Advocate](#) (Apr. 30, 2018)

Anti-hazing legislation that would create harsher criminal penalties in Louisiana is nearing final passage at the State Capitol, following last fall's death of an LSU freshman fraternity pledge.

Without discussion and by unanimous vote, the Senate on Monday signed off on House Bill 78, which would be known as the Max Gruver Act...

...A hazing conviction under current law carries a maximum \$100 fine and 30 days behind bars.

Under Landry's proposal, people who take part in hazing activities that result in death when the victim's blood alcohol level is at least .30 would face up to five years in prison and fines of up to \$10,000.

Hazing that doesn't lead to death would be subject to fines of up to \$1,000 and six months in prison.

Organizations – fraternities, sororities, associations, social clubs, athletic teams and similar groups on college or high school campuses – that knowingly allow hazing could also face fines of up to \$10,000...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting

☐ next SSL cycle
☐ Reject

Comments/Note to staff

08-40A-07 Public Safety - Extreme Risk Protective Orders
[HB 1302](#)

Summary:

Authorizes individuals to file a petition for an extreme risk protective order with a court or a District Court commissioner; provides for the confidentiality of court records relating to a petition; grants certain civil and criminal immunity to a petitioner who, in good faith, files a petition; authorizes a District Court commissioner to enter an interim extreme risk protection order under certain circumstances; establishes requirements and procedures for surrendering or seizing firearms and ammunition.

Status: Enacted

Comments: From [Fox Baltimore](#) (Feb. 19, 2018)

...The bill, which will be heard in the house March 1st, would allow judges to create an Extreme Risk Protection Order against a gun owner who has displayed certain threatening behaviors. They are first alerted by family or friends of the gun owner.

This "red flag" legislation is already law in five states- including California, Connecticut, Indiana, Oregon, and Washington. It has been introduced in 18 states and D.C.

Marylanders to Prevent Gun Violence say the legislation was originally created to reduce suicide by firearm incidents, which account for two-thirds of all gun violence. With recent mass shootings including the killing of 17 students in Parkland, Florida, it is now meant to protect the public as well.

The group says families are often the first line of defense against people who may want to do harm to other people or to themselves.

"We're working on creating coalitions with mental health organizations because we don't want to create any sort of stigma for mental health diagnoses," said Marylanders to Prevent Gun Violence president Jen Pauliukonis...

...Marylanders to Prevent Gun Violence says they hope this bill will not only curb mass shootings and self-harm, but also every day violence in Baltimore city.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-08 Joint Committee on Disaster Preparedness and Awareness
[HB 1355](#)

Summary:

Establishes a joint committee of the general assembly, which shall be known as the joint Committee on Disaster Preparedness and Awareness; requires the committee to make a continuous study and investigation into issues relating to disaster preparedness and awareness including, natural and man-made disasters, state and local preparedness for floods, state and local preparedness for tornadoes, blizzards, and other severe storms, food and energy resiliency and cyber-security.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-09 Witness in a Civil Domestic Dispute Proceeding
[SB 2549](#)

Summary:

Relates to witnesses; prohibits a court from requiring an educator to be a witness in a civil domestic dispute proceeding under certain circumstances, unless the court determines the educator's attendance is necessary to ensure fairness.

Status: Enacted

Comments: From [Miles Mason Law](#) (July 30, 2018)

Educators as Witnesses in Domestic Disputes

With the Assembly passing S.B. 2549, its Public Chapter 747 made an important change to Title 24 on evidence and witnesses and Title 49 on education. P.C. 747 added a new statutory provision regarding witness testimony from teachers and school counselors in civil domestic disputes.

Effective April 18, 2018, it is more challenging to call a teacher or school counselor as a witness to testify about a particular student in a family law case. The court may still order the educator to appear and provide witness testimony, but only after the judge has determined the “educator’s attendance is necessary to ensure fairness in the hearing, mediation, arbitration, trial, or other similar matter.” T.C.A. § 24-2-109.

Who is an educator for purposes of T.C.A. § 24-1-109? An educator is a teacher with an active license or school counselor. They must be currently employed at a public or private elementary or secondary school. If the educator is not currently employed at a school, then the lesser threshold would apply in requiring him or her to provide witness testimony in the domestic relations case.

The statute means to prevent over-burdening schools and educators with litigation-related absenteeism. When called away from their school duties to testify as witnesses in a civil domestic matter, their testimony must truly be necessary to the proceedings. What happens when the court hearing is scheduled during summer vacation when schools are closed? Given the school is not disrupted, appearance could be allowed under the lesser standard.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-10 Domestic Violence – Weapons Restrictions

[HB 206](#)**Summary:**

This bill amends provisions relating to certain weapons restrictions relating to domestic violence. It expands the scope of a Category II restricted person to include: a person who is subject to a protective order or child protective order; and a person who has been convicted of assault or aggravated assault against a cohabitant.

Status: Enacted**Comments:** From [St. George News](#) (March 12, 2017)

...The [Domestic Violence – Weapons Restrictions](#) bill, designated HB 206, passed. It prohibits anyone convicted of domestic violence or who had a protective order issued against them from possessing or carrying guns. Second Amendment advocates supported the legislation brought by Rep. Brian King, D-Salt Lake City. The language of the bill duplicates a federal law already on the books. With the exception of Sen. David Hinkins, who voted against this bill, and Sen. Ralph Okerlund, who was either absent or did not vote, all Southern Utah legislators favored the weapons restriction legislation...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-11 Extreme Risk Protection Orders
[SB 221](#)

Summary:

Establishes extreme risk protection orders; permits a State's Attorney or the Office of the Attorney General to file a petition requesting that the court issue an extreme risk protection order prohibiting a person from purchasing, possessing, or receiving a dangerous weapon or having a dangerous weapon within the person's custody or control under certain circumstances.

Status: Enacted

Comments: From [Vermont's Independent Voice: Seven Days](#) (Feb. 23, 2018)

...The bill, known as [S.221](#), now advances to the Senate floor with support from domestic violence prevention and gun-control groups — and even grudging acceptance from some gun-rights groups.

The legislation would allow law enforcement officials to file for an “extreme risk protection order” even at the scene of an incident. If a judge approved such an order, police could take guns away from a subject for up to 60 days.

Friday's vote represented the first legislative action since Democratic leaders and Republican Gov. Phil Scott [called for an aggressive response to last week's school shooting in Parkland, Fla., and a foiled plot in Fair Haven](#). At press conferences Thursday, Democrats committed to passing S.221, among other measures, and Scott implored lawmakers to send it to him for signature before Town Meeting Day.

Bill Moore of the Vermont Traditions Coalition said Friday that his organization preferred S.221 to a House-passed measure that would allow police to confiscate guns *without* a court order in domestic violence cases. That bill, H.422, cleared the House last March by a vote of 78 to 60 but has been stuck in Senate Judiciary ever since. (Scott and the Democrats pledged to pass *that* bill, too...)

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A
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- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-12 Unmanned Aircraft Systems

[HB 1482](#)

Summary:

Relates to use of unmanned aircraft systems by public bodies; relates to search warrants; provides that an unmanned aircraft system may be deployed without a warrant by a law enforcement officer, following an accident where a report is required, to survey the scene of such accident for the purpose of crash reconstruction and to record the scene by photographic or video images.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-13 Trigger Modification Devices
[5992 SL](#)

Summary:

Defines bump fire stock to mean a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable; makes it a felony to manufacture or sell a bump fire stock; makes it a felony for a person to discharge a firearm with a bump fire stock in the commission of a crime; makes conforming corrections.

Status: Enacted

Comments: From the [Seattle Times](#) (Feb. 27, 2018)

...On Tuesday, Senate lawmakers voted 31-18 on a version of SB 5992 that would ban the devices known as bump stocks. Six Republican senators joined every Democrat to approve the bill.

The bill now goes to Gov. Jay Inslee, who has signaled he would sign it...

...Passage of the bump-stock ban comes after weeks of uncertainty about whether Washington lawmakers would approve any new gun regulations. But the mass shooting on Valentine's Day at a school in Parkland, Fla., pushed the issue back into the [forefront nationally and in the Washington Legislature](#), where some Democratic lawmakers have made a renewed push for regulations.

At the center of that push is a new proposal by Sen. David Frockt, D-Seattle, which was introduced last week and got a public hearing on Tuesday. The bill would raise the purchase age for semi-automatic rifles and some modified shotguns from 18 to 21, and require more rigorous background checks for buyers of those firearms. The bill also includes Republican priorities to improve school safety.

"I will work with members of both parties to improve and perfect this legislation to make our schools and our communities safer," Frockt said in prepared remarks.

Bump stocks came into public consciousness when a gunman used them last fall to kill 58 people at an outdoor Las Vegas concert. Senate lawmakers [last month originally approved the bill](#), but the House amended it to allow the Washington State Patrol to set up a "buy back" program for people who already own the devices. Tuesday's vote adopted the updated House bill.

Starting July 1, the bill would make it illegal for anyone in Washington to manufacture or sell bump stocks. Then, in July 2019, it would become illegal to own or possess a bump stock in the state.

This year, Senate Democrats, who hold a new one-vote majority, have pressed forward on a [range of proposals they say would reduce gun violence](#).

But House Democrats also hold a slim majority.

And in recent years, firearms bills have often stalled at the Legislature, even as voters strongly approved gun-related ballot measures [in 2014](#) and [2016](#).

In Olympia, many Republicans have criticized gun-regulation proposals as poorly written or infringing upon constitutional rights.

Some proposals this year failed to advance, including Frockt's original bill — which was requested by the Attorney General's Office — to strengthen gun-purchase background checks for so-called assault rifles.

[Senate bill 6620](#), Frockt's new proposal, revives a version of that plan and rolls it into a more expansive proposal to address guns and school safety.

SB 6620 would require buyers of semi-automatic rifles and some modified shotguns to go through the more rigorous background-checks process currently used for people purchasing pistols.

The bill raises the purchase age for those other guns to 21, the current legal age to purchase a pistol.

Frockt's bill also includes a provision to implement a response system with the goal of helping law enforcement deal with school emergencies more quickly. Sen. Ann Rivers, R-La Center, had [originally proposed that provision](#) in unrelated legislation.

SB 6620 also pulls from [HB 2442](#), sponsored by Rep. Matt Manweller, R-Ellensburg, to allow students to report threats anonymously through technology such as mobile apps. In a text message, Manweller wrote that he was disappointed Frockt attached the Republican's proposal "to a gun control bill."

On Tuesday morning, advocates for gun regulations — along with some gun-rights proponents — flooded the Senate Ways and Means Committee to give input into Frockt's new proposal.

The National Rifle Association's lobbyist and other gun-rights advocates opposed the parts of the bill dealing with purchase age and background checks.

They argued the provisions are an infringement on the Second Amendment rights of people legally allowed to own rifles.

On the other side, students from Seattle's Ingraham High School skipped school to attend the hearing and advocate for the bill.

"I'm willing to lose a day of learning to be able to fight for someone else's life," said Alicia Heia, an 18-year-old senior at the high school.

Heia and others at the hearing said they planned to [attend next month's](#) March For Our Lives gathering and she said she felt Frockt's bill was a comprehensive approach to addressing school safety.

Since the 1999 Columbine shooting, 150,000 students across the nation have been exposed to a school shooting, according to an analysis by [The Washington Post](#).

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
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- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-14 Domestic Violence Harassment and Firearm Possession
[6298 SL](#)

Summary:

Adds domestic violence harassment to the list of offenses for which a person is prohibited from possessing a firearm.

Status: Enacted

Comments: From the [Spokesman Review](#) (Feb. 9, 2018)

A person convicted of domestic violence harassment could lose their right to own or buy a firearm under a bill that passed the Senate on Friday.

In a bipartisan vote, the Senate sent the House a bill that sponsor Sen. Manka Dhingra, D-Redmond, said would treat all domestic violence crimes equally. Under current law, a person convicted of felony domestic violence crimes loses their right to own firearms, while someone convicted of domestic violence harassment – usually a gross misdemeanor – does not see their ownership rights revoked.

Sen. Mike Padden, R-Spokane Valley, said the bill was too broad, encompassing too many forms of harassment, including those that do not involve a threat of violence with a firearm. The Legislature should be cautious about taking away a constitutional right, he said.

But Dhingra said the person would only lose gun rights after the harassment was reported by the victim, investigated by law enforcement, charged by a prosecutor and convicted in court. It would help ensure that harassment victims don't become victims of further domestic violence.

In other action, the Senate unanimously passed two bills designed to provide domestic violence victims with with real-time notification if their abusers are nearby.

[The firearms bill](#) passed 34-13. Among Spokane area senators, Democrat Andy Billig voted yes, Republicans Padden, Mark Schoesler and Shelly Short voted no and Republican Mike Baumgartner was excused.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

☐ Include in Volume

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☐ Defer consideration:

☐ next SSL meeting

☐ next SSL cycle

☐ Reject

Comments/Note to staff

08-40A-15 Firearm Seizure if Person Deemed Threat to Self or Others
[AB 1181](#)

Summary:

Requires firearms seizure when a mental health professional determines a patient poses a threat of harm to self or others; requires a licensed practitioner to notify the chief law enforcement officer of the municipality in which a patient resides that a duty to warn and protect has been incurred; provides that the patient may be subject to revocation of their firearm purchaser identification card or firearm if it is deemed they have become subject to certain mental disabilities; provides seizure procedures.

Status: Enacted

Comments: From Politico (March 26, 2018)

... Two bills would make it easier to seize guns from certain owners. One, [NJ A 1181 \(18R\)](#), which passed 62-7 with seven abstentions, would require law enforcement to seize firearms from those who mental health professionals determine are “likely to engage in conduct that poses a threat of serious harm to the patient or another person.”

The bill would apply to those who practice psychology, psychiatry, medicine, nursing, clinical social work or marriage and family therapy. Those practitioners are already required to warn potential victims if someone tells them or they have reason to believe harm may come to them.

Under the bill, mental health professionals would also have to warn law enforcement so they can determine if the patient has a firearm or gun permit. Law enforcement would then determine if the person “has become subject to any of the disabilities ... that would disqualify the patient from owning a firearm...”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-16 Extreme Risk Protective Order Act of 2018
[AB 1217](#)

Summary:

Amends the Extreme Risk Protective Order Act; provides a certain immunity; provides that petition forms shall be readily available at the courts, and at state, county, and municipal law enforcement agencies; provides the procedure to file a petition for an extreme risk protective order; provides for such orders filed against a law enforcement officer; provides for the possession and the surrender of firearms in certain circumstances; provides for violations of orders.

Status: Enacted

Comments: From northjersey.com (March 26, 2018)

Strict new gun restrictions against people deemed a threat to themselves or to others passed the New Jersey Assembly on Monday, on the heels of the March for Our Lives protests that drew thousands to anti-gun demonstrations in cities nationwide.

The measure, dubbed the Extreme Risk Protective Order Act of 2018, calls for protective orders against people who pose a significant danger when in possession of firearms.

...The measure establishes procedures for obtaining a protective order against people who are deemed a threat if given access to a firearm. Those people would be prohibited from possessing or purchasing a firearm or ammunition, and from holding a firearms purchaser identification card, a permit to purchase a handgun and a permit to carry a firearm...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-17 Background Check for private gun sales
[AB 2757](#)

Summary:

Require as background check for private gun sales; provides that no person shall sell, give, transfer, assign or otherwise dispose of, nor receive, purchase, or otherwise acquire a handgun unless the purchaser, assignee, donee, receiver, or holder is licensed as a dealer or has first secured a permit to purchase a handgun, as provided; provides exceptions; requires retail dealers to maintain transaction records; defines immediate family.

Status: Enacted

Comments: From northjersey.com (April 1, 2018)

...Another bill, [A-2757](#), would require background checks through the National Instant Criminal Background Check System, or NICS, for private gun sales. But anyone trying to buy a gun in New Jersey is already subjected to a background check as part of the process of getting the necessary paperwork.

Christopher Perry, an attorney specializing in New Jersey's gun laws at [The Tormey Law Firm](#) in Hackensack, explained that anyone wishing to buy a gun in New Jersey must first apply for a firearms purchaser ID card and, for handguns, a purchase permit at a police department. The police will review the applicant's mental health records and run them through NICS before issuing an approval.

Then, although private sellers are not required under current law to run a background check, they are required to check for the necessary paperwork, Perry said. And the only way buyers can have that paperwork is if they've already been run through the database.

The legislation would require all private gun sales to be facilitated by a licensed retailer, who would be required to perform a NICS check at the time of sale — a change Perry said would have "limited applicability."

"It may have the benefit of finding one or two people out there who had something pop up on a NICS check in between the time they obtained their documents from the police department and the time when they're actually engaging in a private sale," Perry said. "I don't think it's going to have any effect on people who are looking to the grey or black markets to purchase illegal guns."

Greenwald said because of the bill, "gun shows are going to be hesitant to come to New Jersey because they're not going to want to go through this extra step."

But Perry said local gun dealers could simply get booths at gun shows for the sole purpose of facilitating purchases...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-18 Handgun Carry Permit
[AB 2758](#)

Summary:

Codifies regulations defining justifiable need to carry handgun; requires a written certification of justifiable need to carry a handgun to accompany an application; makes technical corrections.

Status: Enacted

Comments: From [Assembly Democrats News Release](#) (March 26, 2018)

The New Jersey General Assembly on Monday approved 6 gun safety bills that, among other things, aim to keep guns away from those who pose threats, reduce ammunition magazine capacity, enhance background checks, ban armor-piercing ammunition and counter efforts to weaken gun safety regulations...

... A-2758 (Greenwald/Holley/Moriarty) - Codifies regulations defining justifiable need to carry handgun. "New Jersey's gun safety laws are among the strongest in the nation and we must keep them that way," Greenwald said. "Overturning these unsafe regulations has been a top priority of mine. While I commend Gov. Murphy for doing the right thing to keep our streets safe and ensure laws are enforced as intended, we need to make sure that no future governor can attempt to carelessly weaken our gun safety rules..."

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-19 Reduction in Maximum Capacity of Ammunition
[AB 2761](#)

Summary:

Reduces the maximum capacity of ammunition magazines; exempts certain firearms from the limitation; requires registration certain firearms and provides registration procedures; requires an heir or estate of an owner of such firearms to dispose of it within a certain number of days of the owner's death.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note

08-40A-20 Removal of Firearms from Person Arrested for Domestic Assault
[HB 422](#)

Summary:

Provides that when a law enforcement officer arrests, cites, or obtains an arrest warrant for a person for domestic assault, the officer may remove any firearm that is contraband or will be used as evidence in a criminal proceeding or if the removal is necessary for the protection of those present; provides immunity to such law enforcement officer from civil or criminal liability for any damage of removed firearms.

Status: Enacted

Comments: From [VTDigger](#) (March 13, 2018)

...H.422 passed the House last session and allows law enforcement to seize firearms in certain domestic violence situations. S.211, which unanimously passed the Senate earlier this session, allows authorities to temporarily seize firearms from people deemed to pose an “extreme threat” to themselves or others.

The Senate Judiciary Committee has set aside Wednesday and Thursday to take testimony on H.422. The House Judiciary Committee already took testimony on S.221, but decided to fold it into H.675 rather than move forward with the bill as it was delivered.

A key sticking point in the House was that some members didn’t believe the bill passed by the Senate went far enough in permitting law enforcement to act when it comes to seizing firearms from people who are threat or danger to themselves or others.

Some senators say the House bills go too far, and do not provide enough due process protections.

The House bills had stronger support from victims rights advocates, while the Senate version had the backing of gun-rights activists.

The House bill that passed on crossover day, H.675, has been termed by some a “melding” of the two bills.

“I don’t know what there specific concerns (are) with 221 other than that they also wanted 422,” Ashe said. “So we’re moving forward with 422 and when it leaves the Senate it won’t look exactly like when it came over I’m sure.”

He later added, “So I don’t mean to be opaque, it’s just one of those things sometimes you have multiple vehicles. But in the end there’s gotta be one plan.”

House Judiciary Committee Chair Maxine Grad, D-Moretown, said Tuesday afternoon that as far as she knew the Senate did plan to take up on H.675, and she wasn't aware why Senate leaders would say otherwise.

And there's another gun bill that has been passed by the Senate and sent to the House. This week the House Judiciary Committee is taking up S.55, which includes provisions for background checks on private gun sales and raising the age to purchase the firearms in Vermont to 21.

House Speaker Mitzi Johnson, D-Grand Isle, said Tuesday that both the House and Senate are working to pass "common sense" gun legislation, adding that she believed differences between the two chambers would be worked out.

"This happens all the time with legislation, that a concept winds up in a couple of different vehicles. In the end, we'll get those concepts to the governor's desk," Johnson said.

"The reason for all the confusion about the various different vehicles has to do with rules and timing and how our legislative structure works," she said. "We're doing all of this so that we can respond to what Vermonters are asking us to do."

Johnson confirmed Tuesday that there will be a vote on the House floor for a bill that includes expanded background checks legislation.

Gun-rights activists, most sporting at least one piece of blaze orange clothing, took to the cafeteria and halls of the Statehouse on Tuesday to press their case with lawmakers. They spoke out against added restrictions on gun ownership.

"My whole issue is that, what are we actually going to do to protect the schools," said Jason Monaco of Cabot, a gun-rights advocate.

"I don't believe that all these firearm regulations are going to help," he added. "You're not allowed to bring a gun on school property anyway. You're already breaking the law by doing that."

He said lawmakers seeking to protect schools should focus their attention there, suggesting metal detectors and armed security officials to boost safety...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A
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- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-21 Background Check for Carry Permit
[HB 1209](#)

Summary:

Requires a National Instant Criminal Background Check for applicants of certain concealed carry permits.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-22 Carrying of Certain Guns on Certain Premises
[HB 1271](#)

Summary:

Revises certain provisions regarding the carrying of certain guns on certain premises.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-23 Extreme rRsk Protective Orders
[HB 1302](#)

Summary:

Authorizes individuals to file a petition for an extreme risk protective order with a court or a District Court commissioner; provides for the confidentiality of court records relating to a petition; grants certain civil and criminal immunity to a petitioner who, in good faith, files a petition; authorizes a District Court commissioner to enter an interim extreme risk protection order under certain circumstances; establishes requirements and procedures for surrendering or seizing firearms and ammunition.

Status: Enacted

Comments: From [CBS Baltimore](#) (March 21, 2018)

In the wake of the school shooting in Florida and tragic incidents across the region, there's a push by Maryland lawmakers to take guns away from potentially violent people.

Thursday's hearing in Annapolis was centered around the Lethal Violence Protective Order. If the bill is passed, it would allow a family member or law enforcement to go in front of a judge with clear and convincing evidence on why someone shouldn't be in possession of a weapon.

"This is common sense. I am relieved that we are now at this point," said Prince George's County State's Attorney Angela Alsobrooks.

An order could be issued to remove that firearm for up to one year.

"A judge can make a decision on whether or not it's time to ask for relinquishing of the guns," said Prince George's County Del. Geraldine Valetino-Smith, who also introduced the bill.

It would seize the guns immediately and temporarily, and prevent the individual from buying another.

"Within two hours of this legislation, it goes into a database," Alsobrooks said. "The person cannot purchase guns. In addition to that, it means we can now take the gun and require them to come to court."

The Red Flag Law is in the spotlight following the deadly school shooting in Florida and after Cpl. Mujahid Ramazziddin of Prince George's County Police was gunned down intervening in a domestic violence situation. Police say the suspect, Glenn Tyndell, should not have had a firearm.

“There were a number of neighbors in that neighborhood who came out after Cpl. Ramazziddin was murdered who said ‘we knew that guy was violent, we knew there was an issue in this home,’ and it would have been wonderful to have a neighbor to have the ability to go to the court.”

The bill has drawn backlash from gun rights advocates. Gov. Larry Hogan says the time to act is now.

“I’ve never seen this much focus and attention. I feel as if that maybe we’ve reached a point where people are finally ready to get something done,” he said earlier this week.

The removal of the firearm would be temporary so they can have further proceedings. Dozens of other states are considering orders like this.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-24 Clean Slate Act
[HB 1419](#)

Summary:

Revises statutes relating to crimes and offenses; relates to criminal history record information; provides for general regulations and for order for limited access; provides for clean slate limited access; provides exceptions; provides for order to vacate limited access; provides for effects of expunged records and records subject to limited access; provides for employer immunity from liability; relates to juvenile matters; provides for the inspection of court and law enforcement files and records.

Status: Enacted

Comments: From the [Pittsburg Post Gazette](#) (Jun. 23, 2018)

...Pennsylvanians who were arrested or convicted on summary offenses or some misdemeanors will soon have the opportunity to have their criminal records sealed by the court if they've remained law-abiding.

The Senate passed House Bill 1419 – dubbed the "Clean Slate Act" – by a vote of 49-0. The bill is now on its way to Gov. Tom Wolf, who has said he would sign it as a reform measure to help ex-offenders move forward.

Minor crimes committed – or even just arrests -- in a person's life could affect opportunities for employment, education and housing for decades.

Under the bill, people who were convicted of summary offenses, like low-level retail theft, harassment, disorderly conduct, or some misdemeanors can have their records sealed after 10 years of crime-free living. Those with two or more first-degree misdemeanors can have their records sealed after 15 years. People who were arrested but never convicted of a crime can have their records sealed immediately.

Those convicted of, or arrested on, minor, nonviolent crimes were able to petition the courts to expunge their records under a 2016 law, but that is a bureaucratic procedure that often requires the expense of a lawyer. In the future, records in such cases will automatically be sealed by the court's computer system.

This bill will do "a lot of good for a lot of people," said Sharon Dietrich, litigation director for Community Legal Services. The measure drew wide support, including from Philadelphia Mayor Jim Kenney and Pittsburgh Mayor Bill Peduto.

People can begin to petition the court for their records to be sealed in January. The computer system will begin automatically sealing records in two years, providing time for state police and the courts to prepare the system.

After a record is sealed, it can no longer be accessed by the public. Police can still access these records.

The bill was introduced in March 2017 by prime sponsors Rep. Sheryl Delozier, R-Cumberland, and Rep. Jordan Harris, D-Philadelphia.

Ms. Delozier said she was relieved the Legislature was able to pass this bill, after spending the past year educating other members of the General Assembly about its impact on the workforce.

"When you've done something wrong as a youth or you make a mistake, businesses want good workers," she added. "Getting an underage drinking citation shouldn't keep you from getting a job that you are very good at."

The bill also drew support from some national organizations, including the NFL Players Coalition, which works to address social issues the players care about.

Eagles safety Malcolm Jenkins and wide receiver Torrey Smith penned an opinion piece for CNN on the legislation Thursday. Mr. Jenkins, who leads the players group and is an advocate of criminal justice reform, came to Harrisburg to lobby for the legislation with Mr. Smith and defensive end Chris Long last October.

"Clean Slate won't fix everything, but it's a critical step forward," the two wrote. Once enacted, the law would make Pennsylvania the first state to use technology to automatically seal criminal records.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-25 Sexual Assault and sexual training
[HB 2020](#)

Summary:

Revises provisions relating to sexual assault and sexual harassment; relates to nondisclosure agreements; provides that the terms of a nondisclosure agreement may not be used to prohibit a party to the agreement from responding to a peace officer's or a prosecutor's inquiry or making a statement not initiated by that party in a criminal proceeding; prohibits public monies from being used as consideration in exchange for a nondisclosure agreement related to sexual assault or sexual harassment.

Status: Enacted

Comments: From the [AZ Central](#) (Dec. 1, 2017)

... State Rep. Maria Symms, R-Paradise Valley, said she has proposed House Bill 2020 to close the "sexual predator loophole" that allows perpetrators to buy their victims' silence. Ending such agreements, she said, could prevent future incidents.

"We want to make sure that sexual predators cannot buy their way out of jail or liability only to prey on people in the future," Symms said. Arizona lawmakers will consider HB 2020 when the Legislature convenes in January. The issue likely will take center stage given accusations of sexual misconduct that have roiled the state Capitol in recent months.

Symms' bill includes a provision prohibiting anyone from entering a confidentiality agreement related to allegations of sexual assault or harassment by an elected official.

While Symms, who joined the Legislature this year, said she personally hasn't experienced harassment at the Capitol, she said she was harassed in her earlier career as an attorney. Most women, she said, face harassment at some point in their lives.

"I hope this legislation is one step forward in restoring that trust and restoring people's faith in the work that we do down at the Legislature," she said...

... HB 2020 would void confidentiality clauses in employment agreements, which some workers must enter to get a job. It would also void secrecy clauses in settlement agreements that victims enter with an assailant or harasser after the fact.

Symms said the bill would apply retroactively, so all existing confidentiality agreements related to allegations of sexual assault or harassment would be void.

She said that while she's sensitive to the concern that some victims might want privacy, there's also a public-safety concern in creating transparency to "make sure we stop the bad guys."

Syms said she plans to work with lawmakers and victims groups to ensure the Legislature navigates that challenging balancing act.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-26 Domestic Violence Weapons Restrictions
[HB 206](#)

Summary:

Supplements or reduces appropriations previously provided for the use and support of certain state agencies for both the current and subsequent fiscal years.

Status: Enacted

Comments: From [St George News](#) (March 12, 2017)

... The [Domestic Violence – Weapons Restrictions](#) bill, designated HB 206, passed. It prohibits anyone convicted of domestic violence or who had a protective order issued against them from possessing or carrying guns. Second Amendment advocates supported the legislation brought by Rep. Brian King, D-Salt Lake City. The language of the bill duplicates a federal law already on the books. With the exception of Sen. David Hinkins, who voted against this bill, and Sen. Ralph Okerlund, who was either absent or did not vote, all Southern Utah legislators favored the weapons restriction legislation...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-27 Crimes, Punishments, and Criminal Procedures
[HB 2145](#)

Summary:

Prohibits the possession of a firearm by certain individuals; exempts certain suppressors; prohibits the possession of throwing stars.

Status: Enacted

Comments: From the [Kansas City Star](#) (April 20, 2018)

Gov. Jeff Colyer signed off on a bill Friday that will make it a state crime for people recently convicted of a misdemeanor domestic violence offense to have a firearm.

House Bill 2145 makes it a crime under Kansas law for people to possess a firearm if they have been convicted of a misdemeanor domestic violence offense within the last five years. State law currently bans people convicted of a [felony domestic violence offense from keeping a gun](#), according to the revisor's office.

It also would make having a gun a crime for fugitives, people in the country illegally and those subject to certain protection orders.

The Kansas measure was written to parallel federal law. The finalized version of the legislation passed the House 113-6 and the Senate 40-0.

"I think people realize the danger in people who may be in a domestic situation may not have their emotions in check (and) probably don't need to have access to a gun at that particular moment in their lives," said Senate Vice President Jeff Longbine, R-Emporia.

The bill also makes it a crime to possess a throwing star if it is meant to be used unlawfully against another person. Under previous law, it was unlawful to sell, manufacture, purchase or possess a throwing star.

Another part of the legislation would make it legal for people in Kansas to possess a silencer if it is made in Kansas, under certain stipulations.

Jo Ella Hoyer, a leader with the Kansas chapter of Moms Demand Action for Gun Sense in America, is a strong supporter of the measure. She said after the bill was signed that she was proud of lawmakers in both parties for "taking action that will save lives."

"This law will allow law enforcement in our state to protect families by keeping guns out of the hands of domestic abusers," she said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-28 Lethal Violence Protection Orders
[HB 222](#)

Summary:

Establishes procedures for the filing of a petition for a lethal violence protective order; allows the Superior Court to issue a lethal violence protective order where a family member or a law enforcement officer can show that the respondent poses a danger to themselves or others by owning, possessing, controlling, purchasing, or receiving a firearm; requires respondent to refrain from exercising custody or control over firearms during the order's duration; makes it a crime to violate such orders.

Status: Enacted

Comments: From the [Delaware House Democrats](#)

Lawmakers filed a bill Thursday to close a gap in Delaware law that makes it difficult for families and law enforcement to prevent at-risk individuals from harming themselves or others by removing firearms from potentially life-threatening situations.

Sponsored by **Rep. David Bentz**, House Substitute for House Bill 222 would allow a family member or law enforcement officer to obtain an emergency lethal violence protective order (LVPO) in Justice of the Peace Court if the court deems that a respondent poses a danger of causing physical injury to self or others by owning, possessing, controlling, purchasing, or receiving a firearm.

“Gun violence is not limited to the headlines we see in the news. Dozens of gun deaths happen each year that might have been prevented if law enforcement and loved ones could have intervened sooner and removed firearms from a dangerous situation,” said Rep. Bentz, D-Christiana. “A lethal violence protective order would reduce access to guns and help prevent some of these tragedies.

“This bill is modeled after the Beau Biden Gun Violence Prevention Act, which passed the General Assembly unanimously this year. It’s my hope that we can build off the success of the Biden bill and provide this protection for Delaware families while respecting due process.”

Mirroring the Beau Biden Gun Violence Prevention Act, HS 1 for HB 222 includes a similar process for petitioning the court to remove firearms from a person who presents a danger to self or others, as well as due process to terminate the order. If an emergency order is issued, the court must hold a full hearing within 15 days.

Also under the substitute bill, a person providing false information to obtain an LVPO could be charged with perjury.

More than 55 percent of Delaware gun deaths from 2011 through 2016 were suicides (331 of 598), according to data from the Centers for Disease Control and Prevention.

According to The Trace, an independent, nonprofit news organization dedicated to expanding coverage of guns in the United States, Delaware has seen a 25.6-percent increase in the gun suicide rate between 1991 and 2015, the fourth-highest rate increase in the country.

“We know the statistics and they’re sobering,” said **Senate Majority Leader Margaret Rose Henry**, D-Wilmington East, the bill’s leading Senate sponsor. “A person’s family knows when someone close to them is a danger and we need to give our courts this tool to close a loophole in the law and protect our citizens when they are in danger.”

HS 1 for HB 222 has been assigned to the House Administration Committee.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-29 Orders of Protection
[HB 2354](#)

Summary:

Amends the Firearms Restraining Order Act; provides for the suspension of a firearm owner's identification card; relates to violations.

Status: Enacted

Comments: From the [Chicago Tribune](#) (July 17, 2018)

"...House Bill 2354 establishes the Lethal Violence Order of Protection Act, creating an official process and outlet for anyone to speak up, identify and prevent a troubled individual from committing a horrifying act," said Nybo. "It's my hope we can begin to stop future tragedies before they start and set a proactive example in Illinois that shows we take our residents' safety seriously."

The Lethal Violence Order of Protection Act allows family members, acquaintances or law enforcement to petition the court to identify and issue an ex parte order for an individual who poses an immediate and present danger of causing personal injury to one's self or another with a firearm. The Act will establish a number of factors and types of evidence that the court must consider before issuing a lethal violence order of protection. It also provides a process by which an individual receives a due process hearing to answer the sworn allegations put forth against them in court.

The legislation aims to help identify individuals who display signs of dangerous behavior and remove their FOID card and any firearms in their possession prior to a possible shooting. It also outlines suspicious behavior that may not be covered under traditional protective orders.

"With help from the public in identifying dangerous individuals, this initiative allows for law enforcement to temporarily remove the individual's FOID card and firearms until the court determines they are no longer a present danger to others," said Nybo. "It's a preventative measure that could save lives in Illinois, and I appreciate the Governor's support and swift enactment."

The measure takes effect on January 1, 2019.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-30 Destructive Weapons
[HB 300](#)

Summary:

Makes it a crime to sell, transfer, buy, receive or possess a trigger crank or bump-fire device designed to accelerate the rate of fire of a semiautomatic rifle, making such weapon function more like an automatic weapon.

Status: Enacted

Comments: From [Delaware State News](#) (March 15, 2018)

... By an 18-1 vote, with two absent, senators passed House Bill 300. Sen. Dave Lawson, a Marydel Republican, was the only dissenter.

The bill, which would make it a felony to have “a trigger crank, bump-fire device, or any part, combination of parts, component, device, attachment, or accessory that is designed or functions to accelerate the rate of fire of a semiautomatic rifle but not convert the semiautomatic rifle into a machine gun,” previously passed the House.

However, senators attached two amendments, making the first offense a misdemeanor and creating an amnesty provision for someone who turns such devices in to law enforcement after a 120-day grace period.

Amendments creating a buyback program and allowing a claim of ignorance as a potential defense against prosecution were defeated, mostly on party lines.

The bill passed the House 25-3 with 11 not voting and two absent one week before. It now goes back to the House and could be voted on as soon as Tuesday. If it passes there with no further changes, it will go to Gov. John Carney, who supports the ban.

The vote came one day after students across the state and nation walked out of classes to call for changes in the country’s gun laws, something noted by House Majority Valerie Longhurst, a Bear Democrat who objected to the lessened punishment.

“Today, we let them all down. We need to do what’s best for public safety, not what is politically expedient. Here’s the bottom line: bump stocks are dangerous and deadly. They are not toys, and this is not a game,” Rep. Longhurst, the sponsor of the bill, said in a statement.

“They are destructive weapons like bombs, bombshells, firearm silencers, sawed-off shotguns and machine guns. They have no practical purpose in hunting, home defense

or sport. As we saw tragically in the Las Vegas massacre, they only serve to fire hundreds of bullets as rapidly as possible.

“In every other state that has passed or is considering similar bills, possession of a bump stock is a felony. These are devices that make destructive weapons even deadlier.”

Senate President Pro Tempore David McBride, a Wilmington Manor Democrat, in a statement called the amendments an improvement.

“We believe that these changes will make a good bill even better by enhancing fairness and effectiveness, while honoring and preserving the bill’s intent. The bill now goes back to the House for a second vote, but this minor delay is a small price to pay — particularly if gun control receives the sustained attention that the legislature owes it,” he said.

“It’s our job to do the right thing, to be thorough, and to be responsive to our constituents. Those objectives are not mutually exclusive; in fact, they are complementary and necessary. We hope that the House will vote to advance HB 300 to the governor’s desk and look forward to considering further measures to strengthen our gun laws.”

Under one of the amendments, owning, transferring or receiving a bump stock would carry a fine of up to \$1,150 and prison sentence of no more than six months. Subsequent offenses could lead to up to two years in prison.

The original bill carried a jail sentence of up to five years.

The amendment has stricter punishments for use of bump stocks during the commission of a felony.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-31 Domestic Violence/Sexual Assault: Training, Exam Kits
[HB 31](#)

Summary:

Relates to law enforcement training in domestic violence and sexual assault; relates to sexual assault investigation protocols; requires an inventory and reports on untested sexual assault examination kits; provides for an effective date.

Status: Enacted

Comments: From the [Office of the Governor Bill Walker](#) (June 29, 2018)

Governor Bill Walker on Friday signed House Bill 31 into law.

The legislation was introduced by Representative Geran Tarr after an audit last year found that Alaska had 3,454 untested sexual assault kits.

H.B. 31 requires an annual audit of unsubmitted, untested sexual assault kits so evidence does not continue to accumulate, and so law enforcement can prioritize efforts to address the backlog. The new law also establishes a victim-centered approach to reporting of sexual assault and mandates 12 hours of sexual assault training at all police academies in Alaska.

“Leaving evidence untested is like leaving a crime scene without investigating. We can and will do better,” **Governor Walker** said. “This new law makes sure more people are held accountable for the most reprehensible crimes committed in our state.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-32 Relating to firearms
[HB 4145](#)

Summary:

Modifies definitions relating to relationship status that pertain to types of court orders and misdemeanor convictions that cause person to be prohibited from possessing firearms; provides that conviction for stalking causes person to be prohibited from possessing firearm unless person obtains relief from prohibition.

Status: Enacted

Comments: From the [Register Guard](#) (Feb. 16, 2018)

The day after another mass shooting, this time at a Florida high school, the Oregon House easily passed the main piece of gun control legislation that lawmakers are considering this short session.

House Bill 4145, which would bar more people involved in domestic violence situations from owning guns, was approved on Thursday by a 37-23 vote.

Three Republicans, including GOP gubernatorial hopeful Rep. Knute Buehler of Bend, joined majority Democrats in voting “yes.” Rep. Caddy McKeown of Coos Bay was the sole Democrat to vote “no.”

The aftermath of the shooting in Parkland, Fla., hung over the muted House floor debate and was mentioned repeatedly, even though HB 4145 deals with entirely different situations.

The bill expands existing federal law that bans people who perpetrate domestic violence against a spouse, live-in partners or children from owning guns.

Under HB 4145, that prohibition also would apply to boyfriends and girlfriends. The bill would bar gun ownership by anyone subject to a restraining order by a family member or sexual partner, as well as by people convicted of stalking, a misdemeanor crime.

Someone who legally owned a gun -- but then perpetrated violence against a boyfriend or girlfriend, was convicted of stalking or became subject to a restraining order -- would find that their gun ownership had become a crime.

The crime of “knowingly possessing” a firearm when you are legally barred from doing so is a Class A misdemeanor in Oregon, punishable by a year in jail and/or a \$6,250 fine.

Finally, the bill would mean more enforcement of the state's existing background checks on gun sales by requiring Oregon State Police to report people who fail a background check to their local law enforcement agencies for potential follow-up.

Rep. Paul Evans, a Salem Democrat and advocate for the bill, said it made no sense for Oregon's laws to "differentiate between married and unmarried partners" when it comes to domestic violence. The bill may not save many lives, he added, but "the chance of saving one is worth our time and effort."

Rep. Andy Olson, an Albany Republican, said that as he watched the news about the Florida shooting he felt "sick." But he said he couldn't support the bill, in part because domestic violence crimes also are committed with "baseball bats, knives and rocks."

"A person can easily break into a car or a house if they want to steal a gun," Olson added.

None of the other House Republicans explained their "no" votes during the debate.

The vote had a significant political dimension since all House members face re-election this year, and supporting gun control measures is risky for Republican lawmakers who might face a more conservative primary election opponent.

Rep. Rich Vial, a Wilsonville Republican, said thinking about the vote in the days leading up to it had made him "want to crawl under my desk in the fetal position."

While he understood gun rights' enthusiasts concerns that the bill might be "the camel's nose under the tent," Vial said he still had to vote "yes."

Buehler, meanwhile, a moderate who faces more conservative challengers in the GOP gubernatorial primary, said the bill "makes a small change to existing policy."

"Survivors of domestic violence should not have to live in fear that their abusers will possess a firearm," he said in a written statement after the vote. "They deserve to be heard and protected."

The bill, a priority for Gov. Kate Brown, now heads to the Senate.

Despite speculation to the contrary, Senate President Peter Courtney, a Salem Democrat, said Thursday through his spokesman that he supports the policy and that he would allow a Senate floor vote on HB 4145 if it is approved by the chamber's judiciary committee.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-33 Bump Stocks and Other Means of Enhancing the Rate of Fire of a Firearm
[HB 5542](#)

Summary:

Concerns bump stocks and other means of enhancing the rate of fire of a firearm; bans the sale or transfer, possession, manufacturing or use of bump stocks or other accessories to increase the rate of fire of a firearm.

Status: Enacted

Comments: From the [CT Mirror](#) (May 9, 2018)

The state Senate voted 26 to 10 Tuesday night for final passage of a bill that bans the sale and ownership of bump stocks in Connecticut, joining a growing number of states that have prohibited the rapid-fire rifle accessory used by the Las Vegas shooter who killed 58 people and injured hundreds last October.

Legislators sent [the measure](#) to Gov. Dannel P. Malloy, who plans to sign it, after debating whether banning the devices without compensating owners was constitutional and if doing so would prevent gun violence. Bump stocks are not common and had not been part of the gun debate before Las Vegas.

Massachusetts, California, Vermont, New Jersey, Washington and Florida already have enacted bans. The U.S. Justice Department proposed a federal regulation in March banning the devices.

Malloy, a national voice for gun control since leading the state's response to the shooting deaths of 26 children and educators at the Sandy Hook elementary school, applauded the bipartisan passage of the ban. Eight Republicans joined all 18 Democrats in favor; ten Republicans were opposed.

"I have yet to hear one legitimate reason why anyone needs to own a device that can fire 90 bullets every 10 seconds," Malloy said. "This vote today shows that we – as policymakers in Connecticut – are listening to the overwhelming, collective voices of the people and not powerful lobbyists from the NRA, who are fighting for opposing interests."

Bump stocks allow semiautomatic rifles to fire at a rate similar to that of machine guns. The bill also would ban trigger cranks and other rate-of-fire enhancements.

Sen. John Kissel, R-Enfield, proposed an amendment that would have allowed bump stock owners to keep their devices if they registered them with the Department of

Emergency Services and Public Protection. It failed after three Republicans joined all Democrats in opposing it.

Kissel said it concerned him when the state decides property rights can be trumped by a public interest it deems more important.

“And I’m not saying the state can’t make that determination, but I also believe that, if nothing else, fundamental fairness dictates that the state owes these people compensation for what they have to destroy, remove from the state, or turn over to DESPP,” Kissel said.

If the bill is signed into law, those who possess the devices after Oct. 1 will be guilty of a Class D felony. People who have a gun permit and possess a rate-of-fire enhancement device will be guilty only of a Class D misdemeanor on a first offense until July 1, 2019, and a Class D felony on a subsequent offense.

Jeremy Stein the executive director of Connecticut Against Gun Violence, said the bill was closing a loophole. “We can all sleep a little safer in Connecticut now that we’ve banned bump stocks,” he said.

“Connecticut and the nation have banned machine guns and all this is, is banning what we’ve already decided we’re going to ban,” Stein said.

Scott Wilson, president of Connecticut Citizens Defense League, the state’s largest gun group, said the ban would do nothing to make the state safer. The rapid rate of fire can be replicated by using belt loops and shoe strings and the ban merely prohibits a piece of plastic, he said.

Under the bill, the commissioner of DESPP would need to provide written notification of the law on its website and to federally licensed firearm dealers.

“Eighty-two percent of Americans support a ban on bump stocks. This is not some liberal approach, this is something the vast majority of folks in our country support ... our people demanded action and I think we have listened,” said Sen. Beth Bye, D-West Hartford.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-34 Handgun Permit
[HB 819](#)

Summary:

Revises provisions relating to the Handgun Permit Review Board; requires the Board to review a record, hold a hearing, and submit information to certain persons in writing within a specified period of time; provides for a de novo appeal of a certain decision by the Board to the Office of Administrative Hearings within a certain period of time; authorizes appeals to the Circuit Court.

Status: Enacted

Comments: From the [Washington Post](#) (Feb. 1, 2018)

Maryland Democrats want to eliminate the state board that hears appeals from people who have been denied gun permits and put such decisions in the hands of administrative law judges, rather than gubernatorial appointees.

Democratic legislative leaders say the [Handgun Permit Review Board](#) has overturned a greater number of decisions since Gov. Larry Hogan (R) took office three years ago, spurring their effort to change the process.

A spokeswoman for Hogan called that claim misleading, however, noting that the overall number of appeal requests has jumped considerably, and the rate of reversals has actually gone down. Initial decisions on permits are made by Maryland State Police.

Under the legislation announced Thursday, people denied permits would "still have an opportunity to appeal it, we just won't have a politically appointed board with their own philosophies on guns overruling the state police," House Speaker Michael E. Busch (D-Anne Arundel) said.

According to state Department of Public Safety and Correctional Services data provided by the governor's office, the gun review board took action on 106 appeals between 2006 and 2012. Of those, it overturned 38 state police decisions. Between 2015 and 2016, the board took action on 156 appeals, overturning state police 26 times.

The legislation to eliminate the board is the latest example of the mistrust between Democratic lawmakers and Hogan. It comes a day after the popular governor [called for bipartisanship](#) in his State of the State address.

Sen. Richard S. Madaleno Jr. (D-Montgomery), who is seeking the Democratic nomination to challenge Hogan in November, questioned whether the part-time panel is qualified to overturn state police decisions.

"When it comes to the safety and security of Marylanders, there should be no question as to why our State Police would have their opinion overturned on a concealed-carry handgun permit denial," said Madaleno, who is sponsoring the bill to drop the handgun board.

Democrats also accused Hogan of trying to avoid Senate scrutiny of his nominees to the review board.

On the first day of this year's legislative session, Hogan notified the state Senate he was withdrawing the names of three board members who were appointed after the 2017 session ended. On Thursday, the governor said the search for replacements is continuing.

If no replacements are named before lawmakers adjourn in April, Hogan could appoint new board members without Senate approval.

Senate President Thomas V. Mike Miller Jr. (D-Calvert) said this week that Hogan appeared to be attempting to skirt the traditional nomination process.

In addition to the legislation affecting the gun board, Democrats said they are also pushing a [bill that would ban bump stocks](#), a device used to accelerate the firing of semiautomatic weapons, including in last year's Las Vegas mass shooting.

Del. David Moon (D-Montgomery), who is sponsoring the bill, said the measure is the next step in strengthening the state's automatic-weapons ban.

"I do not see this as a monumental change to gun laws in Maryland, but it is a simple statement that you cannot jerryrig around our assault-weapons ban using technology," Moon said.

Hogan said he is willing to consider banning bump stocks. Regarding the handgun review board, he said he wondered why the legislature would get rid of a panel it created.

"I don't think anyone in the history of our state has ever been killed with a bump stock," he said. "I'm not sure the people that either have or don't have their handguns approved by the Handgun Permit Review Board are the ones that are responsible for most of the killing in our state."

Hogan said lawmakers should consider approving one of his bills: a measure that would impose mandatory minimum sentences for violent offenders who use a gun to commit a crime.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

#08-40A-35 Rape Evidence Collection Kit Tracking Act
[HB 945](#)

Summary:

Creates the statewide Sexual Assault Evidence Collection Kit Tracking System; requires testing of previously untested sexual assault evidence collection kits; provides for required participation; provides for a victim's access to view the status of a kit.

Status: Enacted

Comments: From [WECT News](#) (June 4, 2018)

A bill amended by the state Senate to address the backlog of untested rape kits sitting in evidence rooms across North Carolina is headed to Gov. Roy Cooper's desk for his signature.

The amended HB 945, originally sponsored by Rep. Ted Davis (R-New Hanover County), received unanimous support from senators and returned to the state House for concurrence on Thursday. Lawmakers in that chamber agreed to the changes before sending it to Cooper, who signature will make it law.

The amendment approved unanimously by senators included language suggesting sanctions for any kits that are contaminated or destroyed, along with the original parameters of establishing a plan to prioritize testing the kits and a process for preserving the kits.

According to the most recent data available, there are more untested rape kits sitting on evidence shelves in North Carolina than any other state in the country. The issue prompted some state lawmakers to draft legislation to improve the criminal justice system for victims of sexual assault.

After a statewide audit, the NC Attorney General's office announced in February there are 15,160 rape kits in law enforcement offices across North Carolina that have never been tested. Some of the kits have been collecting dust for decades.

According to the Joyful Heart Foundation, a national non-profit organization that tracks rape kit backlog numbers, the only other states with backlogs close to that size are Florida, which has 13,435 untested kits, and California with 13,615.

There are a dozen other states, including South Carolina, where there is no data available on the number of untested rape kits.

Until somewhat recently, local rape crisis personnel mistakenly believed that all rape kits were tested. In a 2015 WECT investigation, we found out that was not the case, which surprised and outraged Wilmington's Rape Crisis Center Director Jessica Green.

"I was under the impression and I think our clients are under the impression that when they go through that process that [the kit] is going to be sent off," Green said at the time. "I think that [victims] are going to be really shocked and really heartbroken to know that they went through all that trouble and hassle for it to not come to anything."

Green explained it often takes seven or eight hours for medical teams to perform the 17-part exam for a rape kit, and the invasive procedure can be a trauma of its own after a victim has been raped.

Advocates for expanded rape kit testing say the collection of DNA evidence after a sexual assault can help prosecutors identify an unknown suspect if the DNA matches in a national database. Forensic evidence from a rape kit can also clear someone who has been wrongly accused.

In the past, with limited funding for testing rape kits, law enforcement officials had to pick and choose which kits to test.

In some cases where the suspect agreed to plead guilty in court, or the victim changed their mind and decided not to press charges, prosecutors saw little reason to spend scarce resources testing those kits.

But thousands of untested rape kits in North Carolina did not fall into either of those categories, and DNA results could have been helpful to the rape investigation had the kits been tested.

The bill also would ensure victims could track the status of their sexual assault kit so they would know when testing had been completed.

Viable untested rape kits from the 15,160 identified in the Attorney General's 2017 audit would be tested. Law enforcement agencies with custody of the older kits would be tasked with taking reasonable measures to notify the victims of the testing status of those kits as well.

While Attorney General Josh Stein has recently criticized the legislature for not setting aside \$2 million he requested to begin testing the backlogged rape kits in the current budget, lawmakers sponsoring the rape kit testing legislation say that will happen once the system is established.

"Rather than giving the money and then do the plans, our thought was no, we're going to wait, see what the plans are, see what's all involved with the plans, see what cost is

going to be involved with the plans, such as staff or any other costs, and then we'll talk about appropriating the money," Davis told WECT.

At \$700 per kit, Stein estimates the total cost to test all the untested kits would be \$10 million.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-36 Extreme Risk Protection Orders
[S 2492](#)

Summary:

Authorizes the court to issue extreme risk protection orders when the court finds the subject of the order is an imminent danger to cause personal injury to self or others by having access to a firearm; provides that a person subject to an extreme risk protection order surrender all firearms and carry permits while subject to such an order.

Status: Enacted

Comments: From the [State of Rhode Island General Assembly](#) (May 24, 2018)

... “This legislation is a way to stop tragedies before they happen. Of course someone who has guns and is making serious threats to harm people with them should not be armed. Too often, after a mass shooting we learn about all the warning signs people saw from the shooter and wonder why they still had guns. But the truth is, there isn’t always a legal means to stop them. Our legislation provides a speedy but fair process to ensure that those who pose a legitimate risk do not remain armed,” said Senator Goodwin (D-Dist. 1, Providence).

Under the bill ([2018-S 2492A](#)), an extreme risk protective order would prohibit an individual from possessing or purchasing guns, would require them to surrender guns in their possession and would invalidate any concealed carry permits they have. The order would be reported to the National Instant Criminal Background Check System (NICS) and all state and federal lists used for determining whether those seeking to purchase guns have been prohibited from doing so. Violating such an order would be a felony punishable by up to 10 years in prison.

The order would be in place for one year, but could be renewed by the court. Those subject to one could also petition once per year to have them lifted.

Under the bill, a law enforcement agency could petition Superior Court for an extreme risk protection order if it believes the individual poses a significant danger of causing imminent injury to himself or others by having a firearm. The petitioner must state to the court the specific statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by that individual, and must concurrently file for a search warrant to search for any weapons the individual possesses.

Upon the filing for an order, the court may issue temporary extreme risk protective order, similar to a temporary restraining order, if the court finds probable cause to believe the individual poses an imminent threat to others or himself if armed.

A judge would determine at a hearing whether to issue an extreme risk protection order, considering any recent acts or threats of violence with or without a firearm and patterns of such threats or acts in the previous year, and the individual's mental health, substance abuse and criminal histories. The court would also consider any unlawful, threatening, or reckless use or brandishing of a firearm by the individual and evidence of any recent acquisition of a firearm.

Such legislation could have helped to prevent the Parkland, Fla., school shooting Feb. 14. Police say the alleged shooter carried out the attack with a legally purchased semi-automatic weapon. Before the shooting, his mother had contacted law enforcement about his behavior on multiple occasions, but Florida did not have a red flag law. It has since passed one...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-37 Disposition of Unlawful and Abandoned Firearms
[S 55](#)

Summary:

Prohibits an unlicensed person to transfer a firearm to another unlicensed person, except under certain circumstances; prohibits the sale of a firearm to a person under 21 years of age; prohibits the sale or possession of large capacity ammunition devices; prohibits the possession of a bump-fire stock; permits a firearm purchaser to obtain a background check from a law enforcement agency.

Status: Enacted

Comments: From [Reuters](#) (March 30, 2018)

Vermont lawmakers gave final legislative approval on Friday to a bill that raises the legal age for buying firearms and expands background checks, becoming the latest state poised to tighten gun restrictions after last month's Florida school massacre.

The Democrat-controlled state Senate approved the measure, S55, in a 17-13 vote, according to the online legislative record. The bill passed the state House of Representatives this week.

The measure now goes to Republican Governor Phil Scott, who has shifted his stance and voiced support for some gun controls after the arrest in February of a Vermont teenager accused of threatening to shoot up a high school. The incident came two days after a former student killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14.

Scott's support for gun controls marked a sharp switch for a governor with a 93 percent approval rating from the National Rifle Association (NRA) gun rights advocacy group in an otherwise politically liberal state with a reputation as a pro-gun stronghold.

Vermont, a largely rural New England state with a passion for hunting, is one of two dozen states where efforts to curb gun violence have gained momentum since the Feb. 14 shooting rampage that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida.

The Vermont bill raises the age for gun purchases to 21 and expands background checks for private gun sales. It also bans magazines of more than 10 rounds for long guns and 15 rounds for pistols as well as rapid-fire devices known as bump stocks.

Vermont Public Radio reported that the Senate would take up two more gun-related measures next week. Both are aimed at removing guns from homes in cases of domestic violence or when someone is at risk of imminent harm from firearms, it said.

Gun control advocates say the turnaround in Vermont and other states has been propelled in part by the groundswell of student-led lobbying efforts and protests calling for firearms restrictions.

After the Parkland massacre, Florida's Republican-controlled legislature swiftly passed a bill that raised the age requirement and set a three-day waiting period for gun purchases and allowed the arming of some school personnel. The measure was signed into law by another Republican with strong NRA credentials, Governor Rick Scott.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-38 Marijuana Waste Recycling
[SB 18-187](#)

Summary:

The bill gives the state licensing authority rule-making authority to address conditions under which a medical or retail marijuana licensee is authorized to transfer marijuana fibrous waste to a person for the purpose of producing only industrial fiber products.

Status: Enacted

Comments: From [Cannabis Waste Recycling](#)

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-39 Firearms
[SB 2046](#)

Summary:

Makes the manufacturing, importation, sale, or possession of any bump fire stock, multiburst trigger activator, or trigger crank a Class C felony; defines bump fire stock, multiburst trigger activator, and trigger crank.

Status: Enacted

Comments: From [Maui Now](#) (July 9, 2018)

Gov. David Ige signed into law SB 2046 (Act 157) which prohibits the manufacture, importation, sale, transfer and possession of bump fire stocks, multi-burst trigger activators, and trigger cranks.

These are some of the same type of devices used by the gunman in the deadly Las Vegas shooting.

“I’m proud that Hawai’i has one of the lowest rates of gun violence in the nation thanks to our strict gun laws. At the same time, we must protect the rights of gun owners and hunters to own and use guns safely. This legislation will help us uphold the rights of gun owners while keeping guns out of the hands of mentally unfit individuals,” said Gov. Ige.

During the bill signing ceremony at the Hawai’i State Capitol, Honolulu Police Chief Susan Ballard announced a 30-day amnesty program that allows bump stock owners to turn in the firearm at any police station or to call 9-1-1 for officers to pick it up.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-40 Sexual Abuse of Minors; Civil Action; Statue of Limitation
[SB 2719](#)

Summary:

Extends the amount of time from the date an act of child sexual abuse occurred for a victim to bring a civil cause of action.

Status: Enacted

Comments: From [Hawaii News Now](#) (June 28, 2018)

The window for sex abuse victims to file civil suits will reopen through the year 2020.

Gov. David Ige will not veto Senate Bill 2719, which means it will become law on July 9.

The measure allows victims to override the statute of limitations to file sex abuse claims.

Previously, similar bills failed. But victim advocates cite recent high profile cases and the MeToo movement as the reason for the shift in political momentum.

"Knowing that other people are doing it and they're surviving the process, I think is encouraging to other victims," said attorney Randall Rosenberg, who has represented more than 40 people between 2012 and 2016, when a four-year window was open.

Rosenberg says he has since spoken with many others who weren't ready to tell their stories but could be in the next two years.

"It's horribly embarrassing and humiliating. The process is long, it's an invasion of their privacy."

State Sen. Maile Shimabukuro is thrilled that the bill will become law. She says there is strength in numbers for victims who decide to come forward.

"They're not alone, there are others out there willing to support them,"

Opponents of the bill included the state Attorney General's office, which feared frivolous claims and said it was unfair to institutions, like hospitals, schools or churches, which may not have the records or witnesses needed to defend against very old cases because so much time had passed.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-41 Human Trafficking Commercial Driver's License
[HB 18-1018](#)

Summary:

The bill requires that truck drivers obtain a commercial driver's license and receive education on preventing human trafficking if the training is conducted in a driving school. The department must also publish information about human trafficking for commercial driver's license holders and trainees

Status: Enacted

Comments: From the [Denver Post](#) (April 13, 2018)

Colorado truckers will soon [have to complete a human trafficking awareness course](#) to get a commercial driver's license under a bill signed into law Thursday by Gov. John Hickenlooper.

[House Bill 1018](#), which had bipartisan support, mandates that new commercial driver's license applicants go through a half-hour training at no extra cost. It will go into effect over the summer.

Lawmakers and advocacy groups hope that, with more trained eyes on the road, law enforcement will have a helping hand in stopping sex and labor trafficking.

"It just heightens awareness, and it shows you how you can be part of the solution," said Sen. Rachel Zenzinger, D-Arvada, one of the bill's sponsors.

The trucking industry supported the measure. [Several states have passed similar laws](#). The bill passed the Colorado legislature with limited opposition.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-42 Public Safety
[SB 7026](#)

Summary:

Relates to public safety; establishes the Marjory Stoneman Douglas High School Public Safety Act; establishes the Office of Safe Schools; authorizes the Sheriff to establish a school guardian program to aid in the abatement of active assailant incidents in schools; provides that the marshal would only be authorized to abate an active assailant incident and is a school employee volunteer with relevant training; revises several provisions relating to possessing firearms and mental health services.

Status: Enacted

Comments: From the [Major Action Plan](#) from Gov. Rick Scott (Feb. 23, 2018)

Keeping Guns Away from Dangerous and Violent People

- Create the “Violent Threat Restraining Order” which will allow a court to prohibit a violent or mentally ill person from purchasing or possessing a firearm or any other weapon when either a family member, community welfare expert or law enforcement officer files a sworn request and presents evidence to the court of a threat of violence involving firearms or other weapons. There would be speedy due process for the accused and any fraudulent or false statements would face criminal penalties;
- Strengthen gun purchase and possession restrictions for mentally ill individuals under the Baker Act. If a court involuntarily commits someone for treatment under the Baker Act because they are at risk of harming themselves or others, an individual would be required to surrender all firearms and not regain their right to purchase or possess a firearm until a court hearing. A minimum 60-day period would be established before individuals can ask a court to restore access to firearms;
- Prohibit a person from possessing or purchasing a firearm if they are subject to an injunction for protection against stalking, cyberstalking, dating violence, repeat violence, sexual violence, or domestic violence;
- Require all individuals purchasing firearms to be 21-years-old or over. Exceptions include active duty and reserve military and spouses, National Guard members, and law enforcement;
- Establish enhanced criminal penalties for threats to schools, such as social media threats of shootings or bombings, and enhance penalties if any person possesses or purchases a gun after they have been deemed by state law to not have access to a gun; and
- Ban purchase or sale of bump stocks.

\$450 Million Proposal to Keep Students Safe

- Mandatory School Resource Officers in every public school. These law enforcement officers must either be sworn sheriff's deputies or police officers and be present during all hours students are on campus. The size of the campus should be a factor in determining staffing levels by the county sheriff's office, and Governor Scott is proposing at least one officer for every 1,000 students. This must be implemented by the start of the 2018 school year;
- Provide sheriffs' departments the authority to train additional school personnel or reserve law enforcement officers to protect students if requested by the local school board;
- Require mandatory active shooter training as outlined by the Department of Homeland Security. All training and code red drills must be completed during the first week of each semester in all public schools. Both faculty and students must participate in active shooter drills and local sheriff's offices must be involved in training;
- Increase funding in the Safe Schools Allocation to address specific school safety needs within each district. This includes school hardening measures like metal detectors, bullet- proof glass, steel doors, and upgraded locks. The Florida Department of Education (DOE), in conjunction with FDLE, will provide minimum school safety and security standards by July 1, 2018, to all school districts; • Require each school district that receives a Safe Schools Allocation to enter into a Memorandum of Understanding (MOU) with the local sheriff's office, the Florida Department of Juvenile Justice (DJJ), the Florida Department of Children and Families (DCF), the Florida Department of Law Enforcement (FDLE) and any community behavioral health provider for the purpose of sharing information to coordinate services in order to provide prevention or intervention strategies;
- Establish a new, anonymous K-12 "See Something, Say Something" statewide, dedicated hotline, website and mobile app.;
- Establish funding to require access to dedicated mental health counselors to provide direct counseling services to students at every school. These counselors cannot serve dual roles, such as teaching or academic advising. Every student must have the opportunity to meet annually one-on-one with a mental health professional, and receive ongoing counseling as needed;
- Require each school to have a threat assessment team including a teacher, a local law enforcement officer, a human resource officer, a DCF employee and DJJ employee, and the principal to meet monthly to review any potential threats to students and staff at the school; and
- Require crisis intervention training for all school personnel. This training must be completed before the 2018 school start date.

*NOTE: All school safety plans as outlined above must be submitted by each public school to their County Sheriff's Office, by July 15, 2018, for approval. Once all plans and requests for school hardening have been approved by the county sheriff's department, in consultation with local police jurisdictions, plans can be submitted by the school district to DOE for schools to receive any state funds. School districts must also take all capital outlay funds received from taxpayers and use these funds for school hardening

before it can be spent on any other capital outlay. This must be approved by the sheriff's department and submitted to DOE by August 1, 2018.

\$50 Million Proposal for Mental Health Initiatives

- Expand mental health service teams statewide to serve youth and young adults with early or serious mental illness by providing counseling, crisis management and other critical mental health services;
- Require every sheriffs' office to have a DCF case manager embedded in their department to solely work as a crisis welfare worker for repeat cases in the community. This will require 67 additional employees to be hired at DCF by July 15, 2018; and
- Provide law enforcement and mental health coordination matching grants to allow sheriffs to establish special law enforcement teams to coordinate with DCF case managers as outlined above.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

08-40A-43 Rapid Fire trigger activator
[SB 707](#)

Summary:

Prohibits a person from transporting a certain rapid fire trigger activator into the State or manufacturing, possessing, selling, offering to sell, transferring, purchasing, or receiving a certain rapid fire trigger activator, subject to a certain exception; applies certain penalties; establishes a certain penalty for using a rapid fire trigger activator in the commission of a certain crime.

Status: Enacted

Comments: From WTOP (April 6, 2018)

A bill to determine the future of bump stocks in Maryland will soon be on the desk of Republican Gov. Larry Hogan, who has said he would sign it, even as opponents say the bill could be challenged in court.

The state Senate approved the bill Wednesday, on a vote of 35-11.

State Sen. Victor Ramirez of Prince George's County sponsored [Senate Bill 707](#), which is paired with [House Bill 888](#), sponsored by Montgomery County Del. David Moon.

"Starting on Oct. 1, 2018, it would be illegal to possess, transport, or manufacture bump stocks, or similar devices, in the state of Maryland," Ramirez said. "You would be subject to up to three years of imprisonment, and/or \$5,000 in fines."

If Hogan signs the bill into law, it would amount to a near-total prohibition of bump stocks, and other similar rapid-fire devices, including those that haven't been invented yet.

"It says any devices that mimic bump stocks, and any device that accelerates the firepower (of a weapon) would be banned, here in the state of Maryland.

Opponents say the bill is ripe to be challenged in court, because bump stocks purchased legally before the ban would now be considered illegal.

"Right now it's just seizure of private property without any just compensation," Mark Pennak, president of the gun rights group Maryland Shall Issue told the [Baltimore Sun](#). "The state is obligated to pay for what it takes."

Ramirez said the bill would involve a provision that would let prosecutors seek an additional penalty, if the bump stock, or similar device, is used in a crime of violence, “which could be 10 years (in prison) or more.”

Also, Hogan has said he would support legislation that could temporarily seize guns, through a [“lethal violence protective order.”](#)

Introduced in February by Del. Geraldine Valentino-Smith, D-Prince George’s, the bill would allow law enforcement to seize guns in domestic violence cases.

Pennak said his group is considering court challenges for both the bump stock and protective order bills.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

09-40A-01 Military and Veterans' Affairs

[HB 29](#)**Summary:**

Establishes the Don Hahnfeldt Veteran and Military Family Opportunity Act; provides requirements relating to occupational licensure or qualification of persons ordered into active duty or state active duty; provides duties of the Department of Education; requires the Department of Business and Professional Regulation to waive certain fees; revises licensure eligibility requirements; provides an exemption from certain penalties.

Status: Enacted**Comments:**

Today, Governor Rick Scott honored 211 Florida veterans with the Veterans Service Medal and signed HB 29 and HB 75 which will increase opportunities and reduce fees for Florida military, veterans and their families. HB 29, known as the "Don Hahnfeldt Veteran and Family Opportunity Act," expands legislation signed into law by Governor Scott in 2014 (more [HERE](#)) by reducing professional licensing fees and requirements for certain military members, veterans, and their spouses. This bill also designates March 25th of every year as "Medal of Honor Day" to honor the individuals recognized with the highest award for valor in action against an enemy force in the Armed Services of the United States. The "Don Hahnfeldt Veteran and Family Opportunity Act" was named after State Representative Don Hahnfeldt, a veteran and a member of the Florida House of Representatives who passed away last year...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

09-40A-02 Licenses to Practice Occupations Issued by Other States
[HB 1710](#)

Summary:

Changes the law relating to recognizing licenses to practice occupations or professions issued by other states.

Status: Passed the House; Pending in the Senate

Comments: From The Missouri Times (Feb. 22, 2018)

The Missouri House of Representatives gave its stamp of approval to legislation meant to provide Missourians with relief from some of the state's burdensome licensing requirements. By a vote of 146-1, the House approved State Rep. Derek Grier's legislation (HB 1710) that would allow for reciprocity of professional licenses with other states.

"My goal as a legislator is to make Missouri a more desirable place for skilled employees and employers, and to get government off the backs of hard-working Missourians," said Grier, R-Chesterfield. "I think HB 1710 makes an important step forward by honoring and recognizing the skills professionals have obtaining in other states, and eliminating the need for duplicative training."

HB 1710 would recognize professional licenses and certifications from other states that have substantially similar training and educational requirements. The bill is meant to reduce barriers to entry and make it easier for folks to immediately get back to work without burdensome and stifling restrictions requiring repetitive education.

Grier has stressed the need for the bill by pointing to a study produced by the Women's Foundation and MU Institute of Public Policy entitled 'Occupational Licensing and Women Entrepreneurs in Missouri.' The study found that "Occupational licensing in Missouri and throughout the U.S., which is intended to protect the safety and well-being of the public, can often create barriers for entrepreneurs by restricting entry and re-entry into professions, reducing employment, and creating economic inequity." As part of the study, one of the primary recommendations was to "broaden reciprocity provisions to all licensed professionals."

Grier added, "This is a change that will make Missouri a more desirable place for business and attract skilled workers by recognizing their existing training and professionalism."

Grier's legislation now moves to the Senate for consideration.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

09-40A-03 Temporary Licensure and Certification [HB 1413](#)**Summary:**

Relates to temporary licensure and certification; relates to certain professionals who evacuated from Puerto Rico during 2017; authorizes specified professionals to obtain a certain temporary license or certificate to work in the state; provides requirements for obtaining such license or certificate; provides for expiration and prohibiting renewal of such license or certificate.

Status: Died in Subcommittee

Comments: From [Fulton Sun](#) (April 26, 2018)

...HB 1413 and SB 602 would, among other things, prevent unions from using dues or fees for political campaign contributions without authorization from the member within the previous 12 months.

Critics of the bills said they also would force unions to hold annual bureaucratic de-certification processes and force public employees, teachers and others to take time away from their jobs — at taxpayer expense.

They also said the bills would give the governor the power to hire and fire state workers for any reason.

The bills' text states: "Every labor agreement shall include a provision reserving to the public body the right to hire, promote, assign, direct, transfer, schedule, discipline and discharge employees. Every labor agreement shall also include a provision reserving to management the right to make, amend, and rescind reasonable work rules and standard operating procedures."

The next line in the bills prohibits labor unions from picketing or holding strikes...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting

☐ next SSL cycle
☐ Reject

Comments/Note to staff

10-40A-01 Blockchain Business Development
[SB 269](#)

Summary:

Revises provisions relating to blockchain business development; relates to personal information protection companies; provides for personal information as the subject of a fiduciary relationship; provides regulation for the conduct of business for personal information protection companies; provides for fees; requires a review of the potential application of blockchain technology to the insurance and banking industries; authorizes a FinTech Summit; provides for blockchain LLCs; provides for public records.

Status: Enacted

Comments: From Legal Tech News (Sep. 13, 2018)

On May 30, 2018, Vermont Governor Phil Scott signed into law Senate Bill 269: An Act Related to Blockchain Business Development, which became effective on July 1. The Act is designed to stimulate economic development in Vermont through the promotion of blockchain technology. In passing the Act, Vermont joins the limited ranks of other states that have legislatively recognized the potential of blockchain technology to innovate and spur economic opportunity. We anticipate that other states will follow suit and adopt their own version of blockchain-friendly legislation.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

11-40A-01 Bicycle Operation Approaching Intersection
[SB 18-144](#)

Summary:

Bicyclists approaching a stop sign must slow down and proceed through the intersection when it is safe to do so. The bill sets the speed limit. If a local government raises or lowers the speed limit they must post signs. The bill does not apply to any portion of the state highway system.

Status: Enacted

Comments: From [Coloradoan](#) (May 7, 2018)

Colorado cyclists may soon be allowed to roll through stop signs and stop and go more quickly at red lights under new state legislation.

[The Bicycle Operation Approaching Intersection Bill](#) was signed into law by Gov. John Hickenlooper on Thursday.

It allows municipalities to pass local laws letting bicyclists treat stop signs like yield signs and traffic signals like stop signs.

Under the "Safety as Yield law," if a municipality passes a local law, a bicyclist approaching a stop sign has to slow to "a reasonable speed" and can proceed once it's safe to do so. When approaching a red light, a bicyclist has to completely stop and can go once there is no cross traffic.

The bill sets the reasonable speed limit at 15 mph, but a municipality or county could reduce it to 10 mph or raise it to 20 mph at any individual intersection.

Four other areas in Colorado already have laws in place that are similar: Aspen, Breckenridge, Dillon and Summit County. This new law provides standardized language for other cities to adopt "stop as yield" laws.

In 2013, the city of Fort Collins' Bicycle Advisory Committee evaluated the concept and the possibility of adopting a similar ordinance in the city.

The board "ultimately recommended to the Transportation Board that Stop as Yield not be pursued at that time," FC Bikes Program Manager Tessa Greegor wrote in an email.

The recommendation was based primarily on concerns around safety, jurisdictional considerations like inconsistent laws, and community input. Greigor said at the time, community opinions they heard were "pretty split."

Since 2013, the city has not actively explored the topic. However, Greigor said that with the new state legislation, FC Bikes will likely revisit the concept to determine if there's interest in further pursuing a change in Fort Collins.

As part of the bill, this law would not apply to any state highway system, which exempts any intersections at College Avenue, said Bruce Henderson, Bike Fort Collins operations manager.

Henderson said that if Fort Collins does adopt the law locally, education for both motorists and bicyclists is key.

"We're overdue to take a look at whether our traffic regulations make sense from a safety perspective for both people who bike and people who drive."

"People need to understand what expected behavior is at controlled intersections," he wrote in an email.

Henderson also said if this were adopted locally, it would legalize common behavior bicyclists follow today.

In March 2018, the advocacy group and nonprofit Bicycle Colorado voiced strong support for the legislation on [Colorado Public Radio's Colorado Matters program](#).

"We're overdue to take a look at whether our traffic regulations make sense from a safety perspective for both people who bike and people who drive," said Piep van Heuven, the group's director, [in a news release](#).

Idaho adopted a similar law in 1982, giving the practice the nickname the Idaho Stop. Delaware passed a similar law in 2017.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

Transportation

North Carolina

11-40A-02 DOT Property Acquisitions/right-of-way Claim Report
[SB 145](#)

Summary:

Makes changes to the transportation laws of the state.

Status: Enacted

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

11-40A-03 Transportation Access for People with Disabilities

[SB 17-011](#)**Summary:**

Relates to the creation of a technical demonstration forum to study solutions to improve transportation access for people with disabilities and documents how advanced technologies can improve transportation access, relates to cross-disability services.

Status: Enacted

Comments: From [The Independence Center](#)

Transportation is not something that is easily accessible to everyone, especially for people with disabilities. It is a critical component of society, used to get to work, school, and almost every other aspect of life but a lack of resources often limits the full participation of people with disabilities in the community.

Senate Bill 17-011 initiates a study of the current transportation systems in El Paso and Teller counties to identify solutions that would make transportation easier and more affordable for people with disabilities.

Senate Bill 17-011 creates an eight member forum tasked with studying how transportation access for people with disabilities can be improve through advanced technologies. The forum includes individuals from various agencies including the Department of Labor and Employment, the Department of Health, the Public Utilities Commission, the Office of Information and Technology, the Department of Human Services, the Division of Veteran Affairs, the Department of Transportation, and the Colorado School for the Deaf and the Blind. The study will focus on the transportation access needs of people with disabilities in El Paso and Teller Counties, and attempt to identify business solutions that expand transportation access within rural and urban areas.

The forum is tasked to:

- Study the unique needs of, issues surrounding and obstacles facing people with disabilities concerning access to transportation
- Review the degree to which the transportation needs of people with disabilities are being met in El Paso and Teller Counties (urban and rural)
- Determine the availability of technology/business options across the state that are specifically tailored to provide transportation access to people with disabilities

- Determine what existing funding sources exist to improve transportation access for people with disabilities
- Make legislative recommendations in a report to be completed by 12/31/2017 and provide report to furnish copies of the report to the governor, members of the general assembly's majority and minority leadership, and the members of the joint budget committee

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

11-40A-04 Nondiscrimination by Transportation Network Companies

[HB 7126](#)**Summary:**

Requires transportation networks (companies that use a digital network to connect transportation network company riders to drivers to provide prearranged rides) to adopt policies of nondiscrimination on the basis of disability, sexual orientation, gender identity, national origin, race or sex with respect to riders. Also requires such companies to provide a chance for riders to indicate whether they need a wheelchair-accessible vehicle. If the company cannot arrange such transport, the company is required to refer the rider to an alternate provider of accessible transportation, if available.

Status: Enacted**Comments:****Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff

11-40A-05 Autonomous Vehicles from Disability Perspective

[AB 69](#)**Summary:**

The bill states that no motor vehicle laws or traffic laws of this State shall be construed to require a human driver to operate a fully autonomous vehicle which is being operated by an automated driving system, and that the automated driving system of a fully autonomous vehicle shall, when engaged, be deemed to fulfill any physical acts which would otherwise be required of a human driver except those acts which by their nature can have no application to such a system.

Status: Enacted**Comments:** From the [Las Vegas Sun](#) (June 20, 2017)

Nevada displayed its dedication to refining autonomous vehicles, with the passage of and signing of [Assembly Bill 69](#), industry officials said.

AB69 strengthens the state's efforts in policy, as well as the research and development of fully autonomous vehicles. Gov. Brian Sandoval signed the bill into law on Friday, after it passed the Legislature with industry support from various automotive groups including General Motors, the Self-Driving Coalition — including Waymo, Uber, Lyft, Ford and Volvo — and the Alliance of Automobile Manufacturers.

"AB69 is an important step forward for self-driving in Nevada," said David Strickland, general counsel for the Self-Driving Coalition for Safer Streets. "We applaud Gov. Sandoval and state lawmakers for enacting this crucial legislation, which will update existing statutes to permit the testing and commercial public deployment of fully self-driving vehicles while also supporting innovation and promoting competition."

The legislation allows for testing and operations of fully autonomous vehicles; simplifies and clarifies the legal authority for entities testing or operating autonomous vehicles in Nevada; authorizes commercial use of fully autonomous vehicles; authorizes testing and operations of driver-assistive platooning technologies.

Sandoval said that AB69 will help ensure that Nevada is the leader in the future of fully autonomous vehicles. "With safety at the forefront, we have created the opportunity for innovative companies to not only test and operate their autonomous vehicles in our state, but also to conduct the research and development, in partnership with our universities, that will move driverless technology from exciting concept to reality," Sandoval said.

Testing for the first completely autonomous, fully electric shuttle to ever be deployed on a public roadway in the U.S. took place in downtown Las Vegas in January.

[Arma](#), the driverless vehicle developed by the Paris-based company Navya, made trips down Fremont Street for just over a week. The vehicle held a dozen passengers and operates at up to 27 miles per hour. During the test run, the shuttle was limited to 12 mph.

Steve Hill, director of the Governor's Office of Economic Development, said the signing of AB69 showed the governor's push toward technology and the industry developments within it.

"In working closely with industry, this legislation was crafted to ensure safety is and would remain the paramount focus in fostering the driverless industry." Hill said. "Through that, Nevada is quite simply the place to be for testing and deploying this exciting, safety-enhancing technology."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 A

- ☐ Include in Volume
- ☐ Include as a Note
- ☐ Defer consideration:
 - ☐ next SSL meeting
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff