P3, P4 4lr1079 CF SB 731

By: Delegates Rosenberg, Attar, and Ruff

Introduced and read first time: February 7, 2024 Assigned to: Health and Government Operations

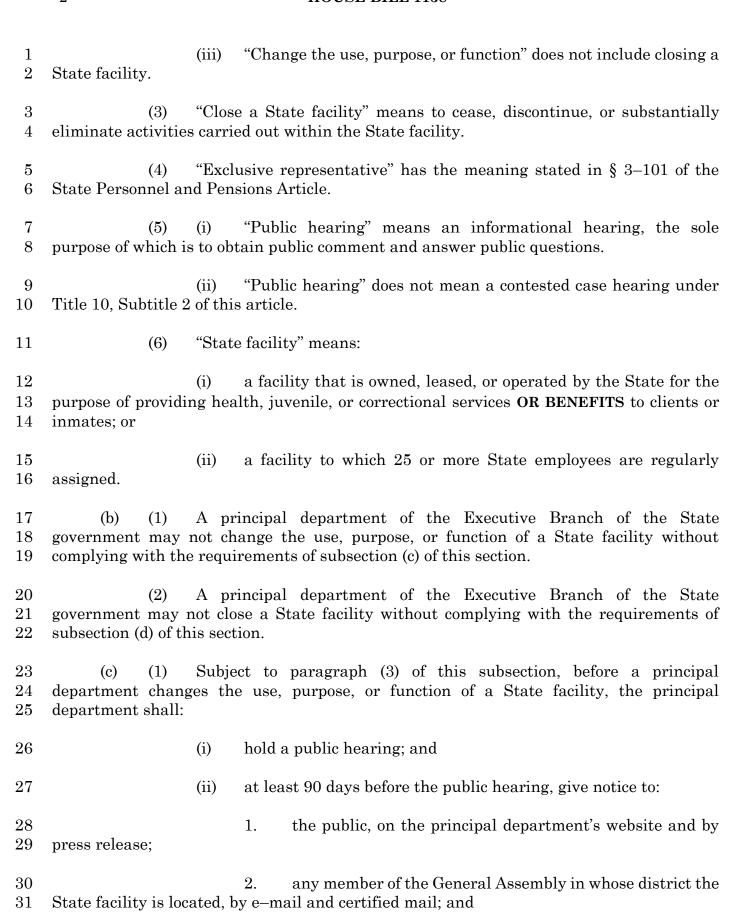
A BILL ENTITLED

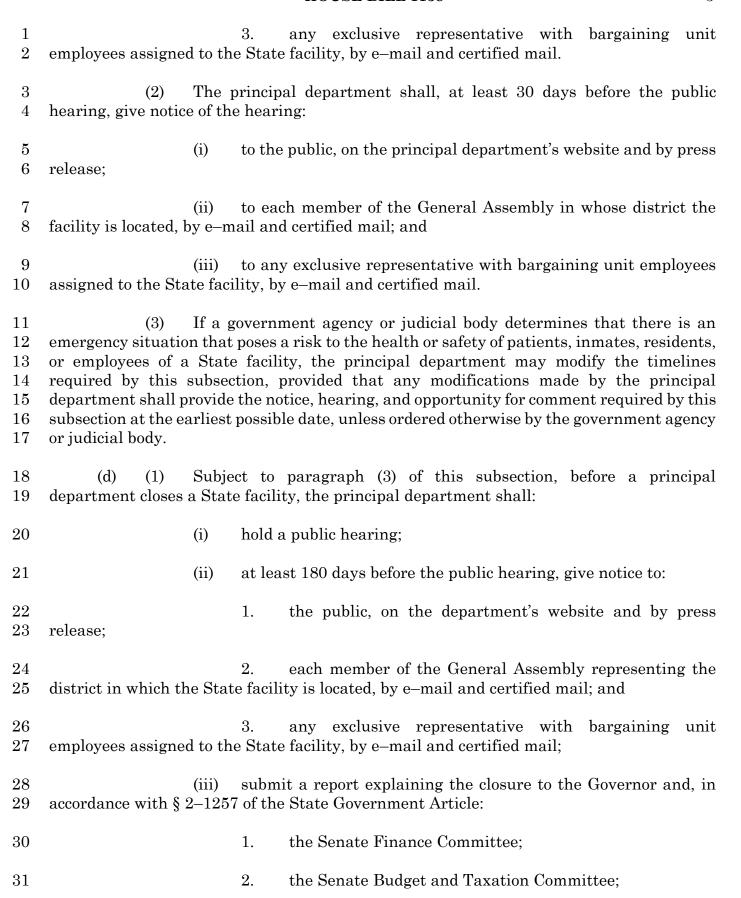
1	AN ACT concerning
2 3	State Facilities – Procedures for Changes and Closures – Definition and Reporting
4 5 6 7 8 9	FOR the purpose of specifying that certain requirements for purchasing, leasing, changing the use of, or closing State facilities apply to facilities owned, leased, or operated for the purpose of providing benefits to clients; requiring the Department of Human Services to submit a report on certain State facility closures to certain committees of the General Assembly; and generally relating to changing the use of or closing State facilities.
10 11 12 13 14	BY repealing and reenacting, with amendments, Article – State Government Section 8–306 Annotated Code of Maryland (2021 Replacement Volume and 2023 Supplement)
15 16	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
17	Article - State Government
18	8–306.
19	(a) (1) In this section the following words have the meanings indicated.
20 21 22	(2) (i) "Change the use, purpose, or function" means an abrupt and material change in the type of clients or inmates served in a facility, the licensed purpose of a facility, or the principal activities carried out within a facility.
23	(ii) "Change the use, purpose, or function" does not mean a gradual

change in clients, inmates, or activities due to societal trends or needs.

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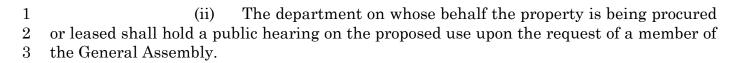




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1 3. **Operations** the House Health and Government 2 Committee: and 3 4. the House Appropriations Committee; 4 (iv) at least 270 days before holding the public hearing, make the 5 report required by this paragraph publicly available; and 6 (v) at least 90 days before holding the public hearing, allow each 7 exclusive representative and a committee listed under item (iii) of this paragraph that receives the report required by this subsection to submit comments on the report. 8 9 (2)The report required under paragraph (1)(iii) of this subsection shall address: 10 11 (i) the reasons for the closure; 12 (ii) the plan for continuing or discontinuing the State facility's 13 operations: 14 (iii) the anticipated budgetary impact of the closure; 15 (iv) any plans for assisting State employees affected by the closure in 16 finding other employment; 17 any plans for assisting the patients, inmates, or residents (v) 18 affected by the closure; and 19 (vi) any plans for the State facility after the closure. 20 (3)If a government agency or judicial body determines that there is an 21 emergency situation that poses a risk to the health or safety of patients, inmates, residents, 22or employees of a State facility, the principal department may modify the timelines 23required by this subsection, provided that any modifications made by the principal 24 department shall provide the notice, hearing, and opportunity for comment required by this 25subsection at the earliest possible date, unless ordered otherwise by the government agency 26 or judicial body. 27 Before a principal department leases or purchases land, buildings, or (1) 28 office space to be used for the purpose of providing health, juvenile, or correctional services 29 OR BENEFITS to clients or inmates, the principal department shall give written notice of 30 the proposed use of the land, buildings, or office space to each member of the General 31 Assembly in whose legislative district the property is located. 32A member of the General Assembly may request that the

department hold a public hearing on the proposed use.



- 4 (iii) The department shall give notice of the hearing to the public as 5 provided in subsection (c)(2)(i) of this section.
- 6 (f) (1) If, after a principal department ceases its use of a State facility, the 7 principal department or any other principal department plans to recommence operation of 8 the facility as a State facility, and the proposed operation of the facility would change its 9 use, purpose, or function, the principal department shall hold a public hearing on the 10 proposed operation.
- 11 (2) The principal department shall give notice of the hearing to the public as provided in subsection (c)(2)(i) of this section.
- 13 (g) Nothing in this section shall be construed to alter or diminish an exclusive 14 representative's right to bargain.
- SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2024, the Department of Human Services shall report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article, on:
- 20 (1) any State facility owned, leased, or operated by the Department for the 21 purpose of providing benefits to clients that was closed on or after January 1, 2023;
- 22 (2) the reasons for any identified closure;
- 23 (3) the Department's plans or actions taken to continue or discontinue the 24 operations of any State facility identified under item (1) of this section;
- 25 (4) the budgetary impact of any identified closure;
- 26 (5) any plans or actions taken to assist State employees affected by any 27 identified closure in finding other employment;
- 28 (6) any plans or actions taken to assist clients affected by any identified 29 closure; and
- 30 (7) any plans or actions taken regarding the State facility after any 31 identified closure.
- 32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 33 1, 2024.