

SENATE BILL 102

J1, E4

4lr0051

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Health and Mental Hygiene)**

Requested: September 30, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Use of Alternate Care Sites During a State of Emergency –**
3 **Authorization**

4 FOR the purpose of authorizing the Governor to promulgate certain orders, rules, or
5 regulations to authorize the use of certain alternate care sites by accredited
6 health care facilities during a declared state of emergency under certain
7 circumstances; defining certain terms; and generally relating to the use of
8 alternate care sites during a state of emergency.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 14–301 and 14–303(b)
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2013 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Public Safety**

17 14–301.

18 (a) In this subtitle the following words have the meanings indicated.

19 (B) **“ALTERNATE CARE SITE” MEANS AN AREA THAT:**

20 **(1) (I) IS NOT LOCATED ON A HEALTH CARE FACILITY’S**
21 **PREMISES; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) IS LOCATED ON A HEALTH CARE FACILITY’S PREMISES**
2 **IN AN AREA NOT TYPICALLY USED TO PROVIDE MEDICAL SERVICES, NURSING**
3 **SERVICES, OR OTHER HEALTH-RELATED SERVICES; AND**

4 **(2) IS USED BY AN ACCREDITED HEALTH CARE FACILITY TO**
5 **PROVIDE MEDICAL SERVICES, NURSING SERVICES, OR OTHER**
6 **HEALTH-RELATED SERVICES DURING A DECLARED STATE OF EMERGENCY.**

7 **[(b)] (C)** “Energy emergency” means a situation in which the health, safety,
8 or welfare of the public is threatened by an actual or impending acute shortage in
9 energy resources.

10 **(D) “HEALTH CARE FACILITY” HAS THE MEANING STATED IN § 19-114**
11 **OF THE HEALTH – GENERAL ARTICLE.**

12 **[(c)] (E)** “Public emergency” means:

13 (1) a situation in which three or more individuals are at the same time
14 and in the same place engaged in tumultuous conduct that leads to the commission of
15 unlawful acts that disturb the public peace or cause the unlawful destruction or
16 damage of public or private property;

17 (2) a crisis, disaster, riot, or catastrophe; or

18 (3) an energy emergency.

19 14-303.

20 (b) After proclaiming a state of emergency, the Governor may promulgate
21 reasonable orders, rules, or regulations that the Governor considers necessary to
22 protect life and property or calculated effectively to control and terminate the public
23 emergency in the emergency area, including orders, rules, or regulations to:

24 (1) control traffic, including public and private transportation, in the
25 emergency area;

26 (2) designate specific zones in the emergency area in which the
27 occupancy and use of buildings and vehicles may be controlled;

28 (3) control the movement of individuals or vehicles into, in, or from the
29 designated zones;

30 (4) control places of amusement and places of assembly;

31 (5) control individuals on public streets;

1 (6) establish curfews;

2 (7) control the sale, transportation, and use of alcoholic beverages;

3 (8) control the possession, sale, carrying, and use of firearms, other
4 dangerous weapons, and ammunition; [and]

5 (9) control the storage, use, and transportation of explosives or
6 flammable materials or liquids considered to be dangerous to public safety, including
7 “Molotov cocktails”; AND

8 **(10) AUTHORIZE THE USE OF ALTERNATE CARE SITES.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2014.