

HOUSE BILL 1026

E4, F1, D4

4lr2249
CF SB 707

By: **Delegates Patterson, Rogers, Acevero, Attar, Bagnall, Buckel, Crosby, Crutchfield, Fair, Fennell, Griffith, Hartman, Holmes, Hornberger, Kaiser, McComas, Pasteur, Toles, White Holland, Williams, Wilson, and Young**

Introduced and read first time: February 5, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Armed Forces – Support of Military Families and Addition of Space Force**

3 FOR the purpose of adding the Space Force to certain provisions of law related to the armed
4 forces; authorizing military spouses and residents of the State who are members of
5 the National Guard of another state or a reserve component of the armed forces to
6 terminate certain contracts at any time after the date the service member receives
7 certain military orders to relocate; adding the Space Force and members of the
8 National Guard of any other state to the definition of a “military-connected student”
9 for purposes of the Purple Star Schools Program; and generally relating to the armed
10 forces.

11 BY repealing and reenacting, with amendments,
12 Article – Business Regulation
13 Section 19–501
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 7–129(a)
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Family Law
23 Section 9–108(a)
24 Annotated Code of Maryland
25 (2019 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – Public Safety
3 Section 13–510, 13–601, 13–704.1, 13–901(b), 13–902(a), 13–904, 13A–101(k), and
4 13A–506(c)
5 Annotated Code of Maryland
6 (2022 Replacement Volume and 2023 Supplement)

7 BY repealing and reenacting, without amendments,
8 Article – Public Safety
9 Section 13A–101(a)
10 Annotated Code of Maryland
11 (2022 Replacement Volume and 2023 Supplement)

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

14 **Article – Business Regulation**

15 19–501.

16 In this subtitle, “soldier” means:

17 (1) an active duty member of the armed forces of the United States,
18 including the Army, Marine Corps, Navy, Air Force, **SPACE FORCE**, Coast Guard,
19 National Guard, Reserve forces, and any other standard United States military agency; or

20 (2) a federal active duty member of the State National Guard or Reserve
21 force.

22 **Article – Education**

23 7–129.

24 (a) (1) In this section the following words have the meanings indicated.

25 (2) “Military–connected student” means a student who is a dependent of:

26 (i) A current member of:

27 1. The United States military serving in the Army, Navy, Air
28 Force, Marine Corps, **SPACE FORCE**, or Coast Guard on active duty;

29 2. The Maryland National Guard **OR THE NATIONAL**
30 **GUARD OF ANY OTHER STATE**; or

31 3. A reserve force of the United States military; or

1 (ii) A member of a military or reserve force described in item (i) of
2 this paragraph who was killed in the line of duty.

3 (3) "Program" means the Purple Star Schools Program.

4 Article – Family Law

5 9–108.

6 (a) In this section:

7 (1) "deployment" means compliance with military orders received by a
8 member of the United States Army, Navy, Air Force, Marine Corps, **SPACE FORCE**, Coast
9 Guard, National Guard, or any other Reserve component to report for combat operations or
10 other active service for which the member is required to report unaccompanied by any
11 family member or that is classified by the member's branch as remote; and

12 (2) "deployment" does not include National Guard or Reserve annual
13 training, inactive duty days, or drill weekends.

14 Article – Public Safety

15 13–510.

16 (a) (1) The Governor shall appoint and commission each commissioned officer
17 or appoint each warrant officer of the organized militia on recommendation of the Adjutant
18 General.

19 (2) The appointments under paragraph (1) of this subsection do not require
20 confirmation by the Senate of Maryland.

21 (b) (1) Each individual commissioned or appointed as an officer or warrant
22 officer shall be:

23 (i) an officer, warrant officer, or enlisted individual of the National
24 Guard;

25 (ii) a retired or former officer or warrant officer of the United States
26 Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard or any auxiliary
27 thereof;

28 (iii) an individual with prior enlisted service in the United States
29 Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard, or any auxiliary
30 thereof;

31 (iv) a graduate of the United States Military Academy, Naval
32 Academy, Coast Guard Academy, Merchant Marine Academy, or Air Force Academy;

1 (v) a graduate of a school, college, university, or officers' training
2 school who received military instruction under the supervision of an officer of the United
3 States Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard who certified
4 the graduate's fitness for appointment as a commissioned officer; or

5 (vi) an individual not otherwise identified in items (i) through (v) of
6 this paragraph who is specially qualified for service by achievement in any professional,
7 technical, or public service capacity or otherwise displays extraordinary qualifications for
8 commissioning as an officer of the Maryland Defense Force.

9 (2) Before taking office, each member of the National Guard shall take the
10 oath prescribed in § 13-407 of this title and each member of the Maryland Defense Force
11 shall take the oath prescribed in § 13-509 of this subtitle.

12 (c) When initially appointed, a general officer or colonel of the organized militia
13 must:

14 (1) be an officer in the National Guard of a grade of O-4 or higher; or

15 (2) have served in any component or auxiliary of the United States Army,
16 Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard or National Guard with
17 the grade of O-4 or higher.

18 (d) When initially appointed, a lieutenant-colonel or major of the line must have
19 had service as an officer for at least 2 years in any component or auxiliary of the United
20 States Army, Navy, Marine Corps, Air Force, **SPACE FORCE**, or Coast Guard or National
21 Guard.

22 (e) Subsections (c) and (d) of this section do not apply in the case of:

23 (1) officers promoted to the grade of major or above from within the
24 Maryland Defense Force; or

25 (2) officers qualified under subsection (b)(1)(vi) of this section.

26 13-601.

27 (a) (1) On the recommendation of the Adjutant General, the Governor may
28 grant to an officer of the organized militia a brevet commission of the next higher grade
29 than the regular commission held by the officer.

30 (2) The Governor may grant a brevet commission to an officer of the
31 organized militia of a grade equal to the highest grade in which the officer previously served
32 in the organized militia or in the United States Army, Navy, Marine Corps, Air Force,
33 **SPACE FORCE**, or Coast Guard.

1 (b) A brevet commission carries only the rights or privileges that are allowed in
2 like cases in the military service of the United States.

3 13-704.1.

4 (a) (1) In this section the following words have the meanings indicated.

5 (2) "Military service" means:

6 (i) in the case of a service member who is a member or reserve
7 member of the Army, Navy, Air Force, Marine Corps, **SPACE FORCE**, or Coast Guard,
8 full-time duty in the active military service of the United States, including:

9 1. full-time training duty;

10 2. annual training duty; and

11 3. attendance while at a school designated as a service school
12 by federal law or by the secretary of the military department concerned;

13 (ii) in the case of **A RESIDENT OF THE STATE WHO IS** a member or
14 reserve member of the Maryland National Guard, **THE NATIONAL GUARD OF ANOTHER**
15 **STATE, OR A RESERVE COMPONENT OF THE ARMED FORCES**, service under a call to:

16 1. active service authorized by the President of the United
17 States or the Secretary of Defense for a period of more than 30 days in response to a national
18 emergency declared by the President of the United States; or

19 2. active duty for a period of more than 30 consecutive days;

20 (iii) in the case of a service member who is a commissioned officer of
21 the Public Health Service or the National Oceanic and Atmospheric Administration, active
22 service; or

23 (iv) any period during which a service member is absent from duty
24 on account of sickness, wounds, leave, or other lawful cause.

25 (3) **"MILITARY SPOUSE" MEANS THE SPOUSE OF A SERVICE MEMBER.**

26 (4) "Service member" means an individual engaged in military service.

27 (b) This section is intended to supplement rights and protections provided in the
28 federal Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).

29 (c) (1) In addition to the rights and protections regarding consumer
30 transactions, contracts, and service providers included in Title III of the federal

1 Servicemembers Civil Relief Act (50 U.S.C. App. 531 through 538), a service member **OR**
2 **MILITARY SPOUSE** may terminate a contract described in paragraph (2) of this subsection
3 at any time after the date the service member receives military orders to relocate for a
4 period of military service of at least 90 days to a location where the service member would
5 be unable to use the services under the contract.

6 (2) This section applies to a contract to provide any of the following:

7 (i) telecommunication services;

8 (ii) Internet services;

9 (iii) television services;

10 (iv) athletic club or gym memberships; and

11 (v) satellite radio services.

12 (3) (i) A service member **OR MILITARY SPOUSE** may terminate a
13 contract under this section by delivering a written or electronic notice of the termination
14 and a copy of the service member's military orders to the service provider.

15 (ii) If a service member **OR MILITARY SPOUSE** terminates a
16 contract, the service provider shall provide the service member **OR MILITARY SPOUSE** with
17 a written or electronic notice of the service member's rights posted on the Maryland
18 National Guard's Internet website.

19 (d) (1) **[A] IF A** service member **[who]** **OR MILITARY SPOUSE** terminates or
20 suspends the provision of services under this section and **[who]** **THE SERVICE MEMBER** is
21 no longer in active military service, **THE SERVICE MEMBER OR MILITARY SPOUSE** may
22 reinstate the provision of service on the same terms and conditions as originally agreed to
23 with the service provider before the termination or suspension on written notice to the
24 provider that the service member is no longer in active military service.

25 (2) Written notice under this subsection shall be given within 90 days after
26 termination of the service member's active military service.

27 (e) A service member **OR MILITARY SPOUSE** who terminates, suspends, or
28 reinstates the provision of services under this section:

29 (1) may not be charged a penalty, fee, loss of deposit, or any other
30 additional cost because of the termination, suspension, or reinstatement; and

31 (2) is not liable for payment for any services after the effective date of the
32 termination or suspension, until the effective date of any reinstatement of services.

1 13-901.

2 (b) Without authority under the laws of the United States or this State, a person
3 may not wear a uniform or distinctive part of a uniform or an item similar to a uniform or
4 a distinctive part of a uniform of:

5 (1) the United States Army, Navy, Air Force, Marine Corps, **SPACE**
6 **FORCE**, or Coast Guard; or

7 (2) the National Guard of this State, another state, or the United States;

8 (3) the Maryland Defense Force; or

9 (4) an auxiliary of any of the military units listed in this subsection.

10 13-902.

11 (a) This section does not apply to a member of the United States Army, Navy, Air
12 Force, Marines, **SPACE FORCE**, or Coast Guard, the organized militia of this State or
13 another state, an officer of the Maryland Defense Force, or a member of associations wholly
14 composed of soldiers honorably discharged from the armed forces of the United States.

15 13-904.

16 (a) A person who is the owner or who is an agent of the owner of a place of
17 amusement or recreation open to the public may not refuse admission to an officer or
18 enlisted individual of the United States Army, Navy, Marine Corps, Coast Guard, **SPACE**
19 **FORCE**, or Air Force or the organized militia of this State or of another state because the
20 officer or enlisted individual is in uniform.

21 (b) A person who violates this section is guilty of a misdemeanor and on conviction
22 is subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both.

23 13A-101.

24 (a) In this title, unless the context otherwise requires, the following words have
25 the meanings indicated.

26 (k) "Judge advocate" means a commissioned officer of the organized state military
27 forces who is a member in good standing of the bar of the highest court of a state:

28 (1) (i) certified or designated as a judge advocate in the Judge Advocate
29 General's Corps of the Army, Air Force, Navy, **SPACE FORCE**, or the Marine Corps or
30 designated as a law specialist as an officer of the Coast Guard, or a reserve component of
31 one of these; or

1 (ii) certified as a non–federally recognized judge advocate, under
2 regulations adopted pursuant to this provision, by the senior judge advocate of the
3 commander of the force in the State military forces of which the accused is a member, as
4 competent to perform such military justice duties required by this code; or

5 (2) if no judge advocate certified under item (1) of this subsection is
6 available, certified by a senior judge advocate of the commander of another force in the
7 State military forces, as the convening authority directs.

8 13A–506.

9 (c) In the instance when a defense counsel is not a member of the bar of the
10 highest court of the state, the defense counsel shall be deemed admitted pro hac vice,
11 subject to filing a certificate with the military judge setting forth the qualifications that
12 counsel is:

13 (1) (i) a commissioned officer of the armed forces of the United States
14 or a component thereof;

15 (ii) a member in good standing of the bar of the highest court of a
16 state; and

17 (iii) certified as a judge advocate in the Judge Advocate General’s
18 Corps of the Army, Air Force, Navy, **SPACE FORCE**, or Marine Corps; or

19 (2) a judge advocate as defined in § 13A–101 of this title.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2024.