New Year, New Laws

Year 2014 rings in laws both quirky and predictable.

Thousands of new state laws go into effect every Jan. 1. Some are attention-getters, some are quirky and some stand out for blazing new trails. This year is no different.

In Colorado, adults can now walk into state-licensed shops and buy up to one ounce of marijuana for recreational use. In Connecticut, the final piece of the nation’s strictest gun-control law clicked into place. And in California, transgender youth, Internet users and prison inmates serving long sentences for offenses they committed as juveniles have new rights and protections.

Here’s a glance at these and some other new state laws—on issues ranging from tanning salons to distracted driving to the federal Affordable Care Act.

**Crime and Courts**

Inmates serving long prison sentences for offenses they committed as teenagers will have a chance for re-sentencing under a new law in California. It establishes a special parole-review process in which such individuals are eligible for release after 15 years of incarceration, if they meet certain criteria. The law may affect the fate of as many as 5,000 California inmates.

In Connecticut, reforms stemming from the Newtown school shootings include mandatory registration of all assault weapons and large-capacity ammunition magazines purchased before April 2013, and creation of a statewide registry that will track parolees whose crimes involved the use of weapons.

Hawaii strengthened its human trafficking law, and a companion law makes prostitutes eligible for the state’s witness-protection program—an attempt to help law enforcement prosecute pimps and traffickers.

New laws in Delaware and Maryland forbid the possession, sale and distribution of shark fins. They join five other states and three territories that have cracked down on the practice of catching sharks, cutting off their fins and returning them to the water to die. The trade is spurred by the demand for shark fin soup, a Chinese delicacy commonly served at banquets and weddings.

In Texas, a victim (or parent or guardian of a victim) of certain sex offenses or stalking now has the right to terminate a lease without financial penalties.

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Health
In all 50 states, under provisions of the Affordable Care Act that took effect on Jan. 1, newly issued insurance policies purchased through health exchanges began covering patient treatments. Jan. 1 also marked the start of expanded Medicaid coverage in the 26 states that have opted to extend benefits to adults with incomes up to 138 percent of federal poverty guidelines.

Missouri and Montana have joined 17 other states that require private insurance plans to cover telehealth services. Telehealth is the delivery of health-related services and information via two-way video, smartphones, e-mail, wireless tools and other forms of telecommunications technology.

Add Minnesota and Maine to the list of states that require home sellers to disclose in writing to the buyer any knowledge the seller has of radon concentrations in the home. Exposure to radon is the second leading cause of lung cancer among Americans, accounting for about 20,000 deaths a year, according to the U.S. Environmental Protection Agency.

Tanning salons are now off limits to minors in Illinois and Oregon. That brings to six the number of states that prohibit tanning salons from serving anyone under the age of 18.

Maine became the 48th state to require the inclusion of an organ-donation check-off on driver’s licenses as a way of promoting organ donor programs.

Internet
California is the first state to require websites that collect personal information about their users to specify in their privacy policies how they track users, how they respond to users’ “do not track” requests and whether third parties can collect personal information across sites.

Oregon joined the growing number of states in which employers can’t compel an employee or applicant—and colleges can’t require students or prospective students—to provide access to their social media accounts.

In Illinois, a new law makes it illegal to incite violent flash mobs or a riot via Facebook, Twitter or other social media.

Also in Illinois, it is now illegal for websites that post mug shots to solicit or accept money in exchange for removing the photos from their sites. Similarly, in Oregon, such sites must remove mug shots and other personal information, free of charge, if the person pictured provides documentation of acquittal or of charges being dropped.

Marijuana
In Colorado, anyone over the age of 21 can now purchase up to one ounce of marijuana at state-licensed retail outlets. In Washington, which has also legalized marijuana for recreational use, retail sales will not begin until March or April.

Oregon became the 13th state to license and regulate medical marijuana dispensaries. Previously, medical marijuana users could purchase pot, but had to buy it on the black market.

In Illinois, medical marijuana will be available for sale in 60 state-run dispensaries under a four-year pilot program.

Minimum Wage
Legislators in Connecticut, New York and Rhode Island—and voters in New Jersey—approved minimum-wage increases that took effect on Jan. 1. In Connecticut, the new minimum is $8.70 an hour; in New Jersey, $8.25; and in New York and Rhode Island, $8. That brings to 21 the number of states (plus the District of Columbia) that have established a minimum wage higher than the federal minimum of $7.25 an hour. The highest is in Washington state—$9.32 an hour.

Public Schools
In California, students must be permitted to participate in school athletic programs and use school bathrooms “consistent with their gender identity” regardless of their birth gender. Several other states have adopted policies designed to protect transgender youth, but California is the first to address the issue with a statewide law.

A new law in Utah mandates that high schools conduct annual earthquake-evacuation drills.

California joined several other states in requiring that financial literacy—learning how to budget, manage debt and protect against identity theft—be integrated into textbooks and courses for grades 7 through 12.

Transportation
Illinois became the 13th state (plus the District of Columbia, Puerto Rico, Guam and the U.S. Virgin Islands) to prohibit motorists from using hand-held cell phones while driving.

In Colorado, a new plug-in electric vehicle registration fee of $50 a year is part of a recent trend in which states are looking to capture more revenues from alternative fuel, high-efficiency and electric vehicles.

In New Hampshire, anyone driving with a passenger under the age of 7 must ensure that the child is properly fastened and secured by a child-restraint system. Previously, the age had been 6.

Let the Sessions Begin!
As 35 states kick off their regular legislative sessions this month, many of these new laws will be considered or reconsidered in other states. Some may spark lots of national interest, others very little. The only sure thing about the process is there are always surprises.