



## 2012 Legislative Wrap Up Report

Founded with the mission to promote and protect the legal rights of women, the Women's Law Center actively engages in advocacy work with the General Assembly to increase justice and fairness for Maryland women and families. During the 2012 Session, Women's Law Center staff and volunteers championed women's rights and found opportunities to educate legislators about the specific impact a bill could have on women. Legal Director Laure Ruth was a significant presence in Annapolis providing our oral testimony and serving as a key member of advocacy groups. We monitored over 95 bills, submitted written testimony on 52 bills, testified before legislative committees on 22 bills and sent 21 legislative alerts to inform members and supporters and encourage them to contact their legislators.

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### Domestic Violence

#### PASSED

Several important bills to increase protections for victims of domestic violence were **supported** by the Women's Law Center and **passed**.

- *HB1146/SB647 Domestically Related Crimes – Reporting* requires the court, when convicting a defendant, to determine whether the crime was domestically related and to record this information in the Criminal Justice Information System.
- *HB769/SB291 Unemployment Insurance – Coverage – Victims of Domestic Violence* provides unemployment insurance benefits for a victim who voluntarily leaves employment to address the effects of domestic violence.
- *HB1160 Family Law – Interim and Temporary Peace and Protective Orders* provides that an order that expires on a day that the court is closed will remain in effect until the court is open.
- *HB8/SB175 Crimes – Electronic Communication – Harassment* prohibits a course of conduct through electronic communication that alarms or seriously annoys another.
- *HB 92 Domestic Violence – Shielding – Complete Removal of Information from Public Web Site* provides that when a domestic violence case is shielded, all information about the case will be removed from the Judiciary website. The Women's Law Center did not take a position on this bill.

#### FAILED

Several bills regarding domestic violence were **supported** by the Women's Law Center and **failed**.

- Related to Protective Orders, unsuccessful bills would have allowed a Protective Order to order the respondent to remain a specified distance from the victim (HB883/SB561), permitted the inclusion of the respondent's business address in addition to a home address

in a Petition for a Protective Order (HB971/SB462), expanded the Protective Order statute to include dating relationships (SB359) and allowed a Temporary Protective Order to remain in effect until the next court day when the court is closed for an emergency (HB1160).

- In the criminal law area, bills that were supported and did not pass included an a bill to enhance prosecution of strangulation (HB1074/SB612), an effort to make it a separate crime to commit a crime in front of a minor (HB664), a bill that addressed harassment through electronic communications (SB107), and a bill that would have required victims to be informed of the Maryland Victim Information and Notification Everyday (VINE) system (SB411).
- A bill that would have allowed victims to be reimbursed for temporary lodging through the Criminal Injuries Compensation Fund (SB168), and bills that would have addressed teen dating violence and education (HB1110/SB863) were unsuccessful.

The Women's Law Center **opposed** several bills that **did not pass**.

- Several efforts attempted to make it easier to obtain a handgun permit (HB488, HB45).
- Two bills would have impacted criminal charging, including in domestic violence cases. One would have expanded the crimes for which a law enforcement officer could charge with a citation (HB119) and another would have prohibited a Court Commissioner from issuing an arrest warrant based on an application for an individual (HB95). These issues were covered by the comprehensive bill addressing citations and appearances (HB261/SB422) necessitated by the court decision requiring defendants to be represented at bail reviews. That bill, which passed, outlines the criteria for a Commissioner to issue a warrant, including that the person poses a danger, and prohibits a law enforcement officer from charging by citation if the offense involves, among other things, violation of a peace or protective order.

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## Family Law

### **PASSED**

*HB651 Child Support – Incarcerated Obligor – Suspension of Payments and Accrual of Arrearages* provides that child support obligations are suspended during the period of the obligor's incarceration and for 60 days after release. The Women's Law Center did not take a position on this bill.

### **FAILED**

The Women's Law Center took positions on several bills that would have impacted women's rights in the area of family law.

- Bills that would have made a significant change in the grounds for divorce by eliminating the requirement to live separate and apart in order to file for divorce as long as the parties maintain separate bedrooms was supported but failed to pass (HB673/SB334 , SB720).
- Two bills to study child custody (*HB 1165 Commission on Child Custody Decision Making*, which was supported, and *HB459 Task Force to Study Joint Custody of Children*, which was opposed) were not successful.
- A bill to clarify grandparent visitation rights was not successful (HB 761).
- In the area of child support, the Women's Law Center supported several bills that failed to pass. These bills would have required child support obligation to continue through college (HB986), included in child support calculations child care expenses while the custodial parent attended school (HB294) and removed the requirement of willful nonpayment of child support to obtain a conviction for criminal nonsupport (HB397).
- A bill that would have terminated alimony upon cohabitation of the recipient (HB1441) was opposed and did not pass.

## Employment Law

### FAILED

The Women's Law Center supported an unsuccessful bill that would have provided for unpaid leave for an employee to attend parent-teacher conferences and meetings related to individualized education plans (HB567/SB329).

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## Reproductive Rights

### FAILED

The Women's Law Center worked with the Marylanders for the Right to Choose coalition to oppose these bills that would have limited or impacted women's access to reproductive choices. Bills that were opposed and failed included a requirement for physicians to submit detailed reports regarding abortions performed (HB967/SB427) and a requirement to provide the opportunity for patients to view a sonogram before performing an abortion (SB583).

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## Human Trafficking

### PASSED

- *HB607/SB352 National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements* was supported and requires the posting of informational signs in restrooms at truck stops and interstate highway rest stops. The Women's Law Center supported this bill.

### FAILED

The Women's Law Center supported bills that would have helped address human trafficking yet failed to pass. They include forfeiture of property used in human trafficking (HB391/SB902), a provision that a person charged with trafficking a minor could not assert the defense that the person did not know the age of the victim (SB993), and special provisions regarding human trafficking victims' eligibility for compensation from the Criminal Injuries Compensation Fund (HB1300).

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## LGBT Rights

### PASSED

- *HB438/SB241 Civil Marriage Protection Act* takes the historic step of recognizing marriage equality for same sex couples. The Women's Law Center supported this bill.

### FAILED

The Women's Law Center supported an unsuccessful bill to prohibit discrimination based on sexual orientation and gender identity (SB212).

## Sexual Assault

### FAILED

A bill that was supported but failed to pass would have made sexual contact during a course of a burglary a third degree sexual offense (HB351/SB642).

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## Discrimination

### FAILED

The Women's Law Center supported a bill that failed to pass the would have prohibited discrimination by landlords and other property owners based on the source of the income the prospective renter planned to use to pay for housing (HB168/SB277).

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## Right to Counsel

### FAILED

A bill to create a task force to study the implementation of a civil right to counsel in Maryland failed (HB265/SB280). The Women's Law Center supported this bill.

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## Harriet Tubman

### PASSED

- *HB1429/SB1069 State Government – Statue of Harriet Tubman* provides that the Governor shall authorize a gift of a statue of Harriet Tubman to the United States Government and to request Congress to place it in an appropriate location. The bill provides for the appointment of a Commission to facilitate the process and raise funds for the statue.

### FAILED

Several other bills sought to recognize Harriet Tubman's contributions by establishing commemorative days (HB1164/SB777, HB1154/SB790, HJ10/SJ4) and another effort to support the gift of a statue (HJ11/SJR5). These bills were unsuccessful.



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