



## 2013 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 2013 Session, the Women's Law Center championed women's rights and educated 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 80 bills, submitted written testimony on 51 bills and testified during legislative hearings on 21 bills. We sent 20 legislative email alerts pertaining to 33 separate bills to inform members and supporters and encourage them to contact their legislators. In addition, the alerts were posted to Facebook and Twitter to expand the reach of the advocacy efforts.

### Funding and Access to Justice

#### **PASSED**

Several bills that will have a tremendous impact on access to justice for low income people were **supported** by the Women's Law Center and **passed**.

- *SB 640 / HB 838 Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Extension of Termination Date* extends for 5 years the sunset of the filing fee surcharge that generates revenue utilized by the Maryland Legal Services Corporation to fund services that ensure access to justice for poor people.
- *SB 809 / HB1303 Maryland Legal Services Corporation Funding – Abandoned Property Funds* increases Maryland Legal Service Corporation's share of the Abandoned Property Fund by \$1 million, providing additional funding for civil legal services for the poor.
- *SB 262 / HB 129 Task Force to Study Implementing a Civil Right to Counsel in Maryland* allows the issue of access to justice to be explored further by creating a task force to study the implementation of the right to counsel in civil cases.

### Domestic Violence

#### **PASSED**

Two domestic violence bills were **supported** by the Women's Law Center and **passed**.

- *SB 846 Courts – Baltimore City Sheriff and Fees for Filing and Service of Process* created a surcharge on certain filing fees to increase funding for Baltimore City sheriffs to serve protective orders with a goal of improving the effectiveness of the service process.

- *SB 1001 Family Law – Protective Orders – Notification of Service – Sunset Extension* extends the program that notifies the victim that a temporary or interim protective order has been serviced on the respondent.

## **FAILED**

Several important bills that would have provided additional protections for victims of domestic violence were **supported** by the Women's Law Center and **failed**. Several of the bills passed out of each house with amendments. Differences between the bills were not reconciled before the end of the session. Unsuccessful efforts include:

- making it easier to obtain a permanent protective order (SB 417 / HB 853)
- creating an enhanced penalty for a person who commits a crime of violence within the sight or hearing of a minor (SB 861 / HB 478)
- extending protective order protections to victims of dating violence and sexual assault (SB 490 / HB 1230)
- adding strangulation to the list of first degree felonious assault crimes (HB 200)
- allowing a judge in a protective order case to order the respondent to remain a specified distance away from the victim (SB 731 / HB 892)
- requiring a spouse to testify in a case involving the violation of a protective order (SB 630 / HB 1037)

The Women's Law Center **opposed** a bill that would have required that a sentence in a criminal case in District Court be stayed during the period of appeal because it would have had a negative effect on victims of domestic violence (HB 154). This bill **failed**.

## **Family Law**

### **PASSED**

The Women's Law Center **supported** a bill regarding child custody that **passed**:

- *HB 687 Commission on Child Custody Decision Making* created a Commission to study child custody decision making in Maryland with the Women's Law Center named as one of the Commission members.

### **FAILED**

Several bills pertaining to divorce, custody and child support were **supported** by the Women's Law Center and **failed**. These bills include:

- allowing couples to file for divorce while living together (SB 503 / HB 748)
- reducing length of separation to 6 months (SB 104)
- denying paternity rights of the assailant when a child is conceived as the result of rape (SB 620 / HB 715)
- simplifying the establishment of paternity for the purposes of establishing child support (SB 178)
- prevent child support obligors from protecting funds from collection by placing them in retirement accounts (SB 71)

The Women's Law Center expressed **concerns** about SB 181 that would have made sweeping changes to child support enforcement, including creating a presumptive amount for child support. The bill was **withdrawn**.

## Employment

### PASSED

A very significant bill protecting pregnant workers **passed** with the Women's Law Center's **support**, including testimony by an Employment Law Hotline caller who was fired while pregnant.

- *SB 784 / HB 804 Employment Discrimination – Reasonable Accommodations for Disabilities Due to Pregnancy* requires employers to make reasonable accommodations for pregnant workers including considering requests such as different hours, job duties, or work location.

### FAILED

The Women's Law Center supported a bill that would have required employers to provide paid sick leave and earned leave to deal with medical, psychological or legal issues arising from domestic violence (SB 698 / HB 735).

Several unsuccessful bills sought to establish paid parental or pregnancy leave (HB 1331, HB 1334, HB 1335)

## Human Trafficking

### PASSED

Advocates were successful in passing several bills to address human trafficking. Bills that were **supported** by the Women's Law Center and **passed** are:

- *HB 713 Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking* authorizes law enforcement agencies to seize and sell real and personal property used in connection with a human trafficking violation and establishes an Anti-Human Trafficking Fund to provide funding to aid human trafficking victims and support organizations that combat human trafficking.
- *HB 933 Crimes – Human Trafficking of Minor – Defense of Ignorance of Victim's Age* provides that it is not a defense to the crime of trafficking a minor that the person did not know the age of the victim.

### FAILED

Bills that were **supported** by the Women's Law Center but were **unsuccessful** would have extended the current prohibition against trafficking a minor to a prohibition against trafficking anyone under age 21 (SB 215 / HB 1188), made it a felony to kidnap a child for prostitution (HB 943) and provided additional training to police (HB 1056).

## Discrimination

### FAILED

The Women's Law Center **supported** unsuccessful bills that would have provided protections from damaging discrimination. These bills would have:

- prohibited discrimination based on gender identity, protecting transgender people (SB 449)

- prohibited discrimination in housing based on the source of the income used to pay the rent (SB 487 / HB 603)

## Reproductive Rights

### FAILED

The Women's Law Center worked with the Marylanders for the Right to Choose coalition to **oppose** 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 (SB 455 / HB 898), a requirement to provide the opportunity for patients to view a sonogram before performing an abortion (SB 726) and an effort to prohibit later term abortions (SB 456 / HB 1312).

## Crimes and Criminal Justice System

### PASSED

The Women's Law Center **supported** the Governor's comprehensive firearm safety legislation that **passed**.

- *SB 281 / HB 294 Firearm Safety Act of 2013* expands the laws regarding the licensing, purchasing and regulation of firearms and ammunition in Maryland by restricting possession of firearms by individuals with mental disorders and respondents in protective order proceedings.

### FAILED

Bills that were **supported** but **failed** to pass would have made sexual contact during a course of a burglary a third degree sexual offense (SB 722 / HB 985) and would have prohibited the shackling of pregnant inmates (HB 829).