

## PRIORITY SUCCESSES

### **House Bill 123 / Senate Bill 217: Labor and Employment – Wage History and Wage Range**

POSITION: SUPPORT  
RESULT: PASSED

This legislation builds on the progress made in 2016 to eradicate the Gender Pay Gap in Maryland by eliminating employers' rote use of salary history when establishing base pay. A recent study of over 15,000 job applicants found that in jurisdictions where wage history information is permitted, a woman who was asked about her salary history and refused to disclose was actually offered 1.8% *less* than a woman who was asked and did disclose. Meanwhile, if a man refused to disclose when asked about salary history, he received an offer that was 1.2% higher than a man who did<sup>1</sup>. Thus the evidence suggests that placing the burden on the applicant to refuse disclosure results in a concrete financial burden on that individual. By prohibiting the practice all together we level the playing field. The Gender Pay Gap continues to persist in Maryland, but this legislation will bring us one step closer to equity in the workplace.

### **House Bill 248 / Senate Bill 210: Protective Orders – Relief Eligibility – Rape and Sexual Offenses**

POSITION: SUPPORT  
RESULT: PASSED

This legislation was first offered during the 2019 legislative session but sadly failed in conference committee during the final moments of *sine die*. Working with partners across the State, the Women's Law Center fought to ensure a "person eligible for relief" under the protective order statute includes any individual who alleges rape or sexual assault by the respondent. The current law remains unclear as to the eligibility of rape and sexual assault survivors and many courts would only permit them to file for peace orders. We supported this legislation because sexual assault victims should be afforded the full array of protections that protective orders provide.

### **House Bill 781 / Senate Bill 988: Health Insurance – In Vitro Fertilization – Revisions**

POSITION: SUPPORT  
RESULT: PASSED

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<sup>1</sup> <https://www.payscale.com/data/salary-history>

While Maryland has for many years been on the forefront of reproductive rights, by mandating insurance coverage for married individuals seeking in vitro fertilization treatment, our laws did not keep up with our changing times, and many unmarried women were excluded from the opportunity to start their own families. In fact, this legislation came about in part after several such women reached out to the WLC seeking assistance following denials of IVF coverage by their insurance companies. The law will update Maryland's current provisions regarding insurance coverage for IVF in two ways. First is by ensuring that all women, regardless of their marital status, are able to avail themselves of insurance coverage for IVF procedures. Currently, the law is restricted to married individuals only, ignoring that couples, particularly those who have been previously married, may wish to start a family together without entering into a new marital relationship, or that single individuals may not wish to wait until marriage before having children. The second issue it addresses is the length of time a patient must wait before accessing IVF coverage, changing the time period from 2 years to 1 year, to match current clinical guidelines. The WLC is proud to have played a role in supporting the reproductive rights of women in Maryland, and grateful to the allies and legislators to helped make this happen.

**House Bill 233 / Senate Bill 212: Criminal Law – Assault in the First Degree – Strangulation**

POSITION: SUPPORT  
RESULT: PASSED

Under our current laws, strangulation is classified as a second degree assault. This legislation reclassifies strangulation to first degree assault, a more serious offense with a longer sentence possible. The Women's Law Center of Maryland supported this bill as it would recognize the egregiousness of these acts in our criminal law. Strangulation is a common occurrence in our intimate partner violence cases, and should be addressed as a serious crime.

**House Bill 242 / Senate Bill 206: Criminal Procedure – Motion to Vacate Judgment – Human Trafficking (True Freedom Act of 2020)**

POSITION: SUPPORT  
RESULT: PASSED

In 2011, Maryland become the second state in the country to enact a "vacating convictions" law, which allows survivors of sex trafficking to vacate (set aside) their prostitution convictions. Since that time, 40 additional states have followed by enacting vacatur laws in their respective jurisdictions. However, our current laws have since fallen behind, allowing only for the vacatur of prostitution convictions, not any other crime. The Women's Law Center proudly supported this legislation as it will expand relief available to survivors of human trafficking who have criminal convictions as a result of the trafficking.

### **House Bill 269 / Senate Bill 579: Child Support – Shared Physical Custody**

POSITION: SUPPORT  
RESULT: PASSED

This legislation alters how child support is calculated when the parties have “shared physical custody.” This, in turn, will help reduce the serious “cliff effect” that currently exists in our calculations in shared custody cases, and more accurately reflect real costs of having a child with a parent.

### **House Bill 523 / Senate Bill 225: State Personnel – Employee Accommodations – Pregnancy and Childbirth**

POSITION: SUPPORT  
RESULT: PASSED

Currently, a pregnant worker with a documented pregnancy-related complications is entitled to a reasonable accommodation from her employer. But State employees who experience a normal, healthy pregnancy but have been advised by their doctor that they should take certain precautions as a preventative measure are not guaranteed the same response, putting their health and pregnancies at risk. This pro-active law will require employers to provide the same, temporary accommodations to women with healthy pregnancies that they provide to other employees, helping to keep pregnant workers safe and at work.

### **Senate Bill 684 / House Bill 801: Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender-Responsive Prerelease Act)**

POSITION: SUPPORT  
RESULT: PASSED – VETOED BY GOVERNOR (5/7/2020)

This legislation imposes sweeping and necessary reform upon the Department of Public Safety and Correctional Services as it relates to prerelease services for women to address the growing disparate treatment of incarcerated women. This will require the Department to make evidence-based and gender-responsive services available to female inmates to support their educational, job placement, mental health, and parenting needs. The WLC supports the rights and dignity of all women, including those who are currently incarcerated, and is happy this legislation passed.

## **DOMESTIC VIOLENCE AND SEXUAL ASSAULT**

### **House Bill 250 / Senate Bill 227: Peace and Protective Orders – Extension**

POSITION: SUPPORT  
RESULT: PASSED

This law explicitly clarifies the procedure for how a court handles a request for extension of a Protective Order. The Women's Law Center supported this legislation because there has been some confusion in the courts about how to process these requests for extension and this bill makes it crystal clear what should happen.

**House Bill 246 / Senate Bill 231: Sexual Solicitation of a Minor – Solicitation Through Parent, Guardian, or Custodian – Prohibition and Penalties**

POSITION: SUPPORT  
RESULT: PASSED

This bill will make it a crime to solicit the consent of a parent, custodian, or guardian of a minor (or a law enforcement officer posing as one of those individuals) for the intentional purpose of engaging in illegal sexual acts with the minor. The Women's Law Center supported this bill as an appropriate punishment for sexual predators seeking to harm minors. Criminalizing this type of behavior may save young peoples' lives.

**House Bill 425 / Senate Bill 406: Criminal Procedure – Sexual Assault Evidence Kits – Privacy, Reimbursement, and Notification**

POSITION: SUPPORT  
RESULT: PASSED

This legislation aims to protect the privacy of survivors of sexual assault and ensure that medical providers are properly reimbursed for all sexual assault forensic examinations (SAFE). The Women's Law Center of Maryland fully supports any and all measures aimed at addressing the needs of survivors of rape and sexual assault.

**House Bill 289: Evidence – Testimony by Spouse – Violation of Protective Order**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 289 would have eliminated the ability of a witness-spouse to invoke marital privilege and refuse to testify against his or her defendant-spouse at a Violation of Protective Order prosecution if the defendant-spouse violated the Order by committing another act of abuse. Recognizing the need to balance public safety and victim autonomy, the Women's Law Center supported HB 289 as a crucial way to successfully prosecute violations of protective orders, which increases safety for victims and society as a whole.

**House Bill 272: Criminal Law - Obscene Matter - Sexting by Minor**  
**House Bill 931: Criminal Law – Distribution of Child Pornography – Minor**

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**House Bill 1245: Juvenile Law – Conduct by Children Involving Sexually Explicit or Nude Images**

**House Bill 501/Senate Bill 365: Criminal Law - Child Pornography and Exhibition and Display of Obscene Items to Minors**

POSITION: SUPPORT WITH AMENDMENTS  
RESULT: FAILED

House Bill 272, House Bill 931, House Bill 1245, House Bill 501, and Senate Bill 365 were all bills introduced this past session seeking to address a complex situation where minors send explicit text messages to each other (sexting). The Women's Law Center supports finding a public policy solution that will balance the needs and realities for minors in two ways: 1) ensuring teenagers who engage in consensual sexting are not criminally prosecuted; and 2) protecting minors from non-consensual creation or distribution of nude images of themselves.

**House Bill 590/Senate Bill 230: Criminal Law – Sexual Crimes – Repeal of Spousal Defense**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 590 would repeal certain prohibitions on prosecuting someone for rape of their spouse. The Women's Law Center (WLC) supports House Bill 590 because the idea that rape or sexual assault, unwanted touching, forcible sex or anything else of that nature is okay because the parties are married is arcane and insulting, a relic of another era that has no place in Maryland law.

**House Bill 1551: Health Practitioners – Minor Patients – Child Abuse Reporting**

POSITION: OPPOSE  
RESULT: FAILED

House Bill 1551 would have required health practitioners inform minor patients that they may report abuse. The intent of the bill was to educate minors that there may be resources if they are experiencing abuse. However, it required people who are already mandatory reporters to inform minors that the minors may report. The WLC opposed this bill as it was fraught with possible unintended consequences.

**Senate Bill 198: Public Safety – Permit to Carry, Wear, or Transport a Handgun – Qualifications**

POSITION: OPPOSE  
RESULT: FAILED

Under current law, an applicant for a handgun permit must have a “good and substantial reason to wear, carry, or transport a handgun such as a finding that the permit is necessary as a reasonable precaution against an apprehended danger.” SB 198 would have added the terms “personal protection” or “self-defense” to this standard, making it a *per se* acceptable reason to be issued a wear and carry permit. The WLC continues to hold firm to the belief that introducing more guns into peoples’ hands *will not* increase safety to our constituency.

### **House Bill 764: Criminal Law – Law Enforcement Officers – Prohibition on Sexual Activity**

POSITION: FAVORABLE WITH AMENDMENTS  
RESULT: FAILED

This legislation would have prohibited a law enforcement officer from engaging in sexual activity with victims, witnesses, or suspects in an investigation that the officer is conducting, supervising, or assisting with. An exception was included for officers in pre-existing legal sexual relationships. The WLC fully supported this legislation, but proposed an amendment, which was supported by the Committee, that would have removed the exception in cases where a protective order existed between the parties.

### **House Bill 1115 / Senate Bill 436: Courts – Improperly Summoning a Police Officer – Civil Liability**

POSITION: FAVORABLE WITH AMENDMENTS  
RESULT: FAILED

This legislation would have created a civil cause of action against a person who knowingly calls law enforcement on an individual with the intent of infringing on the person’s constitutional rights, causing that person embarrassment, harassment or humiliation, or to damaging the person’s reputation. The WLC supported this bill with amendments to make clear that cases where domestic violence or other interpersonal crimes may be being committed are excluded or considered in a more specific way. We are wary of unintended consequences for the people we represent and others trying in good faith to assist them.

### **Senate Bill 506: Firearms – Handgun Permit – Preliminary Approval**

POSITION: OPPOSE  
RESULT: FAILED

Senate Bill 506 would have modified the sequence of requirements that an applicant for a handgun must complete before obtaining a handgun permit. The Women’s Law Center opposed this bill as we believe public policy should not provide opportunities for gun owners to have access to firearms *prior* to receiving vitally important training

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### **House Bill 1294: Criminal Procedure – Victims of Crime – Private Room**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 1294 was a simple bill that would have established the most basic amount of dignity for survivors of sexual assault and other crimes against the person. In essence, it required law enforcement agencies to provide notification to the public that victims of crime may request a private room to report a crime against them. This is an easy to accommodate request that would provide support for survivors and prevent re-traumatization from being forced to share their stories in public settings where anyone can hear.

### **House Bill 1352: Peace Orders and Protective Orders – Coercive Control**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 1352 would have added “coercive control” to the definition of abuse in both the Peace and Protective order statutes. The WLC supported HB 1352 because at the core of most intimate partner violence there is coercive control, even when the abusive behavior does not include physical violence.

### **Senate Bill 595: Family Law – Protective Order – Rescission**

POSITION: SUPPORT  
RESULT: FAILED

Under current Maryland law, parties to a protective order are entitled to request a rescission of the order, and the court *must* hold a hearing before either granting or denying the rescission, regardless of who is seeking the rescission or under what circumstances. SB 595 would have altered the way courts handle requests for rescission of civil protective orders by giving the courts discretion to deny a request without a hearing if appropriate.

## **FAMILY LAW**

### **House Bill 946 / Senate Bill 847: Child Support – Guidelines**

POSITION: SUPPORT  
RESULT: PASSED (Law will go into effect 10/01/2021)

This legislation updates Maryland’s Child Support Guidelines to accurately reflect costs in 2020, as well as makes other changes to help the public understand the Guidelines. It is our belief that this will help children in our state, will help educate the public about the

reasoning and logic behind the Guidelines amounts in our law, and will increase the uniformity of orders at higher income levels. This law goes into effect October 1, 2021 to allow time for technological updates at the Office of Child Support Enforcement.

### **House Bill 80: Family Law – Grounds for Divorce**

POSITION: SUPPORT  
RESULT: FAILED

Had it passed, this legislation would have changed the definition of separation as a ground for divorce in order to allow estranged couples to continue living “separately” under the same roof, as economic forces often require. The Women’s Law Center supports efforts to simplify divorce in our state, and the effect of this bill accurately reflects many peoples’ reality.

### **House Bill 191: Child Support, Custody, and Visitation – Award of Expenses – Suit Money**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 191 would have clarified that in certain types of family law cases a court can award a party all the expenses involved in the case if appropriate. The Women’s Law Center supported House Bill 191 because it would allow for reimbursing a deserving party for the cost of pursuing a proper case or defending against an improper case.

### **House Bill 367: Child Support – Multifamily Adjustment**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 367 would alter how child support is calculated when a person has children in multiple families. The Women’s Law Center supported HB 367 as it more accurately reflects the ability to pay child support by parents who have children in different family settings, e.g. with different people, than originally contemplated by the Guidelines.

### **House Bill 458 / Senate Bill 680: Family Law – Minors – Emancipation (Emancipation of Minors Act of 2020)**

POSITION: SUPPORT WITH AMENDMENTS  
RESULT: FAILED

House Bill 458 and Senate Bill 680 are not true cross files, but both would have codified Maryland’s common-law emancipation laws to address circumstances when 16 and 17 year



olds may need to separate themselves legally from their parents or guardians. The WLC supports codifying emancipation, as it is currently a common law concept, difficult for non-attorneys to access and navigate.

### **House Bill 1231 / Senate Bill 949: Family Law – Authorization for a Minor to Marry**

POSITION: OPPOSED  
RESULT: FAILED

These bills sought to create a system where individuals under the age of 17 would be unable to marry, and anyone who is 17 could only marry if they are granted an order of authorization to marry, and if the person they are marrying is no more than 4 years older than them. The Women's Law Center (WLC) respectfully opposed this bill, as it would undercut the agency of young women without furthering its goal of preventing forced marriage and sex trafficking. It is our continued position that the first step to addressing those concerns related to underage marriage would be to create a system for certain mature minors to be deemed emancipated.

### **House Bill 833 / Senate Bill 536: Divorce And Annulment – Removals To Barriers To Remarriage**

POSITION: FAVORABLE WITH AMENDMENTS  
RESULT: FAILED

This legislation attempted to address barriers to remarriage, particularly for women within the Orthodox Jewish community. The WLC deferred to advocates of the legislation as to the utility of the bill, and supported their efforts, but provided amendments related to procedural matters.

### **House Bill 1114: Child Custody and Visitation – Best Interest of the Child – Factors**

POSITION: FAVORABLE WITH AMENDMENTS  
RESULT: FAILED

Currently, there is no statute that sets out the factors a court must consider in making a custody determination. While cases decided over years in Maryland have established general guidelines for judges, including that the overarching guideline in determining child custody should be the best interests of the child, no current statute clearly articulates all factors to be considered. This is particularly problematic for litigants who are not represented. By focusing always on the impact of custodial arrangements on the children involved in a case, HB 1114 recognized that custody decisions should be child focused, and that each case is unique and requires an individualized evaluation of what is in the best interests of the child.

### **Senate Bill 594: Child Custody and Visitation – Abuse or Neglect of Child**

POSITION: FAVORABLE WITH AMENDMENTS

RESULT: FAILED

Senate Bill 594 would alter the Maryland Family Law Article to require judges to articulate findings as they relate to child custody in cases where the court has reasonable grounds to believe a child has been abused or neglected and whether the court finds abuse is likely to occur again if visitation or custody is granted to the abusing party.

### **House Bill 1328: Child Custody – Legal Decision Making and Parenting Time**

POSITION: SUPPORT

RESULT: FAILED

Like HB 1114, HB 1328 would have provided a statutory framework of the factors that courts must use in deciding custody cases in Maryland. The Women's Law Center supported both bills in their efforts to codify existing Maryland case law regarding custody determinations and continuing to rely on the best interest of the child standard.

### **Senate Bill 665: Family Law – Custody Evaluator – Information to Parties**

POSITION: SUPPORT

RESULT: FAILED

Senate Bill 665 would have required a court, in any action in which child support, custody, or visitation is at issue, to provide information to the parties regarding the role, availability, and cost of a custody evaluator. The Women's Law Center supported this bill as litigants need all pertinent information when pursuing their family cases, especially self-represented litigants.

## **EMPLOYMENT AND ECONOMIC SECURITY**

### **House Bill 14: Equal Pay for Equal Work – Inquiring About Wages – Prohibition on Adverse Action**

POSITION: SUPPORT

RESULT: PASSED

This legislation addresses an important omission in our current Equal Pay laws by ensuring employers do not retaliate against employees for inquiring about their own earnings. Current protections only protect employees when inquiring about the wages and salaries of their coworkers, but not the employee's own salary.

### **House Bill 126/Senate Bill 846: Peace Orders – Workplace Violence**

POSITION: SUPPORT WITH AMENDMENTS  
RESULT: FAILED

This legislation would have established a mechanism in which employers could seek the civil protections of peace orders on behalf of their employees. As operators of the statewide Employment Law Hotline, and understanding that workplace violence can affect all workers – regardless of their gender or socio-economic background - the Women’s Law Center believes the ability to obtain peace orders on behalf of employees, in certain circumstances, can be an effective tool for management in preventing workplace violence.

### **House Bill 417/SB400: State Employment - Wage History and Wage Range**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 417 and Senate Bill 400 sought an incremental step to closing the Gender Pay Gap by eliminating the State’s use of salary history when establishing base pay for potential state employees. In July 2015, the Acting Director of the U.S. Office of Personnel Management issued a memorandum advising federal agencies of the dangers of relying in past salary information in setting new hire standards. The federal government understood that in order to achieve pay equity it needed to address the roots of the problem: salaries. The WLC is happy that the broader version of this legislation passed, applicable to all employers and potential employees throughout the State, but nonetheless, supports all attempts at ending this discriminatory practice.

### **House Bill 1021 / Senate Bill 906: Labor and Employment – Maryland Healthy Working Families Act – Seasonal Temporary Workers**

POSITION: OPPOSE  
RESULT: FAILED

The Maryland Healthy Working Families Act (MHWFA), provides that seasonal and temporary workers are exempt from the requirements of the law for the first 106 days of employment. This date was a result of many years of negotiation and compromise. This legislation would extend the non-coverage period to 120 days to coincide with the summer season. Given the current pandemic, the need for earned sick leave has been greater than ever, but also more important for public health than ever before. As such, the WLC respectfully opposed this expansion – and all amendments that would decrease the scope of coverage for the MHWFA.

### **Senate Bill 742: Labor and Employment – Fair Recruitment and Transparency Act**

POSITION: SUPPORT  
RESULT: FAILED

The WLC supported Senate Bill 742 because it would have enhanced Maryland's ability to protect foreign workers legally entering the United States from human trafficking and other human rights abuses. The incidence of known human trafficking cases involving foreign labor recruiters is increasing dramatically in the United States. While many foreign labor recruiters behave ethically and are engaged in lawful conduct, a growing percentage are often complicit with, or directly involved in, trafficking of workers. This legislation would have promoted transparency and accountability by creating a registration system for foreign labor recruiters.

**House Bill 908 / Senate Bill 404: Labor and Employment – Maryland Healthy Working Families Act - Verification**

POSITION: OPPOSE  
RESULT: FAILED

The Maryland Healthy Working Families Act (MHWFA), provides that an employer may require verification from an employee for leave that is used to cover 2 or more consecutive shifts, or for leave taken between the 107th and 120th day. Additionally, if an employee fails to provide the required verification, the employer's recourse is to deny subsequent requests for leave. These bills sought to change the status quo so that employers are able to unilaterally deny a request for sick or safe leave between the 107th and 120th day of employment if the employee fails to provide written verification to the employer, even if it is the employee's first time utilizing leave. The WLC opposed any bill seeking to chip away at those provisions, which were the result of years of negotiations and compromise. Specifically, the WLC opposed the bills because domestic violence does not provide advance warning of when it will strike, nor does it always provide opportunities for written verification.

**Senate Bill 241: Maryland Healthy Working Families Act – Applicability**

POSITION: OPPOSE  
RESULT: FAILED

Another of a slew of bills seeking to erode the benefits gained by the MHWFA, SB 241 specifically sought to exclude application of the law to County Board of Education employees. The WLC opposed all of the bills seeking to chip away at the provisions of the law, particularly anything that would remove the ability of survivors of domestic violence to seek legal assistance without risking their employment.

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**House Bill 728 / Senate Bill 1007: Employment Discrimination – Time for Filing Complaints**

POSITION: SUPPORT  
RESULT: FAILED

These bills sought to extend the time period in which to file a complaint for unlawful employment practices (other than harassment, which was extended in 2019) with the Maryland Commission on Civil Rights from 6 months to 300 days. As operators of a statewide employment law hotline, the WLC frequently receives telephone calls from individuals who are being harassed, discriminated against, or refused accommodations in their workforce but who have no recourse due to the untimeliness of their filing. This bill would have changed that.

**House Bill 839 / Senate Bill 539: Labor and Employment – Family and Medical Leave Insurance Program – Establishment**

POSITION: SUPPORT  
RESULT: FAILED

The purpose of these bills was to provide income replacement during what would otherwise be unpaid leave taken under the Family Medical Leave Act, or under similar circumstances, by creating a structure for income replacement benefits similar to the well-established unemployment benefit system. The bill would have provided a continuity of income for persons needing to take time off to care for themselves, for a family member with a serious health condition, or for a newborn or newly placed adopted or foster child, or to take time needed for enumerated reasons related to a relative being deployed by the armed services. As the United States remains one of the last hold-outs in the world without paid family leave, this legislation would have been an important step towards economic security for so many Marylanders.

**House Bill 1097 / Senate Bill 641: Maryland Wage and Hour Law and Maryland Wage Payment and Collection Law – Revisions (Maryland Wage Protection Act)**

POSITION: SUPPORT  
RESULT: FAILED

As approximately 33% of Maryland workers are low wage workers and 60% of those workers are women, wage theft and wage loss is a women's issue that has a demonstrable negative effect on women and their families in Maryland. Thus, the Women's Law Center of Maryland supported these bills which sought to resolve three challenges workers face when attempt to address wage theft: retaliation from seeking to obtain their earned wages; a lack of transparency on paystubs; and the status of independent contractors under current wage and hour laws.

### **Senate Bill 40: Sales and Use Tax – Diapers – Exemption**

POSITION: SUPPORT  
RESULT: FAILED

Senate Bill 40 would have expanded the current exemption from the sales and use tax for baby related products to include diapers. Currently, baby oil and baby powder are exempt from sales tax, but diapers are inexplicably excluded from that list, despite being a necessity for any newborn, infant, or toddler. The WLC supported SB 40 because it would have assisted women who are already often the primary care takers and increasingly the sole or primary income-earner for families. Without diapers, infants cannot participate in childcare and early childhood development programs. When children cannot participate in those programs, oftentimes caregivers cannot work but rather must stay home with their children, continuing the cycle of poverty and underemployment.

### **ABORTION AND REPRODUCTIVE RIGHTS**

#### **House Bill 53: Public Health – Contraceptive Devices – Minors**

POSITION: OPPOSE  
RESULT: FAILED

This bill would have prevented young women under the age of 18 from receiving implanted contraceptive devices without parental consent. The Women's Law Center of Maryland opposed this legislation as it would have removed privacy and bodily autonomy from young women who are guaranteed those rights under current Maryland law, without any medical purpose.

#### **House Bill 793: Public Health – Unborn Child Protection From Dismemberment Abortion Act**

POSITION: OPPOSE  
RESULT: FAILED

Had this bill passed, it would have outlawed the safest method of performing abortions on women who are 14 weeks or more pregnant. The Women's Law Center of Maryland opposed this bill because it would have created undue risks on woman's health and invaded very personal decisions that women have a constitutional right to make. Doctors, who are always in the best position to determine the appropriate medical course of action, should be free to make medical decisions without fear of litigation from disgruntled spouses or parents of the pregnant woman.

### **House Bill 1162: Health – Abortions – Reporting Requirements**

POSITION: OPPOSE  
RESULT: FAILED

A perennial attempt at restricting access to reproductive health care, this bill would have required abortion providers to report wide-ranging information on patients who receive abortion care, creating a chilling effect on communication between a patient and her doctor.

### **House Bill 1179: Public Health – Unborn Human Beings and Infants (Humane Disposition of Human Remains Act)**

POSITION: OPPOSE  
RESULT: FAILED

In a shocking attempt to interfere with a woman's bodily autonomy, House Bill 1179 would have required a woman to choose between either cremating or performing a burial for fetal remains after a termination or miscarriage of a fetus. This bill was designed to shame women for exercising their right to choose in the most disturbing way possible and was clearly an unconstitutional imposition on a woman's constitutional rights and otherwise would interfere with her medical status.

### **House Bill 1227: Abortion – Ultrasound Requirement**

POSITION: OPPOSE  
RESULT: FAILED

House Bill 1227 created a burden on women and abortion providers by requiring women to view an ultrasound and listen to the heartbeat of the fetus; mandating a litany of reporting requirements, and providing exceptions only for certain medical emergencies. Such requirements unnecessarily interfere with communications that should be between a doctor and a patient, impose undue burdens on a woman's right to access abortions, and disregards the bodily and intellectual autonomy of women. These decisions should not be governed by politics.

### **House Bill 1321: Health – Abortion – Ultrasound and Waiting Period**

POSITION: OPPOSE  
RESULT: FAILED

Yet another attempt at limiting women's reproductive choices, this legislation would have imposed burdens and obligations upon women and abortion providers, with no medical purpose. To add insult to injury, the bill provided exceptions only for women who become

pregnant as a result of rape or incest, not for medical emergencies, and shockingly excludes psychological and emotional harm, as well as the risk of self-inflicted harm.

### **Senate Bill 357: Pain-Capable Unborn Child Protection Act**

POSITION: OPPOSE  
RESULT: FAILED

Senate Bill 357 would have outlawed abortion after twenty weeks of gestation, criminalized doctors' actions, and required onerous reporting for no discernible reason. The Women's Law Center of Maryland, Inc. will continue to oppose bills that invade the very personal decisions that women have a constitutional right to make and should make in consultation with their doctors – not legislators.

### **House Bill 208: Public Schools - Provision of Menstrual Hygiene Products**

POSITION: SUPPORT  
RESULT: FAILED

A quality, free public education is a right bestowed upon all children in Maryland. But that right is not limited to just attending school. Once in school, children are guaranteed equal educational opportunity, regardless of race, gender, or socio-economic status. In order to fully participate and enjoy the benefits of those rights, students must be provided the resources necessary to be able to concentrate on learning and growing as citizens. Providing menstrual products to students will allow young women to focus on learning and reach their full potential, without being burdened by the financial concerns of purchasing those essential products. This bill would have required all public schools in Maryland to provide free menstrual products to their students.

### **House Bill 1298 / Senate Bill 791: County Boards of Education – Pregnant and Parenting Students – Policies and Reports**

POSITION: SUPPORT  
RESULT: FAILED

This legislation would have required the State to mandate county boards of education to establish policies to provide accommodations for pregnant and parenting students in the public school system. This included policies regarding lactation spaces, assistance with child care, and approved leave for parenting needs. It would further require appropriate training for faculty and staff as well as institute data collection. The WLC supported this legislation as parenting is a leading cause of drop out among teen girls and education is a key component for ensuring each student lives up to their potential.



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## **HUMAN AND CIVIL RIGHTS**

### **House Bill 541 / Senate Bill 633: Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes**

POSITION: SUPPORT  
RESULT: PASSED

As hate crimes continue to rise, while arrests rarely occur, this legislation will ensure that all members of law enforcement and those trained under the Maryland Police Training and Standards Commission are educated and informed about the existence of Maryland hate crime laws, including how to recognize them, response to them, and report them.

### **House Bill 231 / Senate Bill 530: Housing Opportunities Made Equal Act**

POSITION: SUPPORT  
RESULT: PASSED

This legislation amends Maryland's Fair Housing law to prohibit discrimination by landlords and other property owners based on the source of the income the prospective renter will be using to pay for the housing. Adequate housing is critical to the health and safety of women and children, who often rely on alternative sources of income including alimony, child support, and government assistance; therefore they are disproportionately affected by this discrimination. The Women's Law Center of Maryland supported this bill because it helps ensure that women have equal access to housing options.

### **House Bill 277 / Senate Bill 367: State Department of Education – Guidelines on Trauma-Informed Approach**

POSITION: SUPPORT  
RESULT: PASSED

This legislation will require the State Department of Education, in consultation with the Maryland Department of Health and the Department of Human Services, to develop and distribute guidelines on a trauma-informed approach to education. A "trauma-informed approach" to education requires understanding and responding to individuals who have experienced chronic interpersonal trauma or traumatic stress. As a legal services provider representing survivors of domestic violence, the work of the Women's Law Center must utilize a trauma-informed approach to lawyering. Our clients' responses to, and actions within, the legal system are all informed by the trauma they have experienced. Many of our clients experienced trauma at earlier ages, and many also have children who have suffered the same. By creating a trauma-informed approach to learning in our schools, we can only hope to benefit society as a whole.

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**House Bill 206 / Senate Bill 207: Unaccompanied Minors in Need of Shelter and Supportive Services**

POSITION: SUPPORT  
RESULT: PASSED

House Bill 206 would allow shelters to offer their services to minors without parental intervention or consent. The Women's Law Center supported this legislation because it would provide vitally important safety and security to certain minors in a time of need.

**Senate Bill 606 / House Bill 917: Criminal Law – Hate Crimes – Basis (2<sup>nd</sup> Lieutenant Richard Collins, III's Law)**

POSITION: SUPPORT  
RESULT: PASSED

Under current law, an act is considered a hate crime only if it is determined that the action was done *wholly because of* the victim's identity (gender, race, color, religion, sexual orientation, disability, national origin, or status as a homeless person). This legislation addresses challenges in the prosecution and adjudication of hate crimes by changing the definition to make an action a hate crime if it is *motivated in part or in whole* by another's identity. Hate crime laws matter. In addition to deterring criminal activity, they possess important symbolic meaning that signals to targeted communities that the government cares and that law enforcement will take their concerns seriously.

**House Bill 1444 / Senate Bill 531: Discrimination – Definition of Race – Hair Texture and Hairstyles**

POSITION: SUPPORT  
RESULT: PASSED

Also known as the Crown Act (Creating a Respectful and Open World for Natural Hair), this legislation aims to address employment discrimination based on racist attitudes towards hairstyles and hair textures traditionally worn within the Black community. Because the Women's Law Center of Maryland fully supports bodily autonomy, including the ability to wear hairstyles with cultural or historical significance, and recognizing the continued existence of discriminatory practices, specifically against Black women who choose to wear these hairstyles, the WLC believes this legislation is necessary and is happy to have seen it pass swiftly through the legislature.

**House Bill 388: Criminal Procedure – Civil Immigration Enforcement – Restrictions**

POSITION: SUPPORT  
RESULT: FAILED

The WLC's MEDOVI Project provides free legal representation in immigration matters to foreign-born survivors of domestic violence, sexual assault, and human trafficking. Because of our clients' unique and vulnerable positions in society, the WLC has continued to support efforts like HB388. Our clients cooperate with law enforcement regularly to assist in the prosecution of crimes of violence, but have become increasingly fearful of doing so out of concerns of deportation for themselves and their children. This legislation would do alleviate many of those concerns, without altering the criminal legal system. Rather, it would work to restore community trust in our law enforcement officials, improve public safety, and stop the expenditure of precious local dollars on federal enforcement efforts.

**House Bill 524/Senate Bill 255: Correctional Services – Pregnant Incarcerated Individuals – Substance Abuse Assessment and Treatment**

POSITION: SUPPORT  
RESULT: FAILED

While technically not cross-files, these two bills both sought to require local correctional facilities within the Department of Public Safety and Correctional Services to follow the clinical guidance of the American College of Nurse Midwives or the American College of Obstetricians and Gynecologists when providing care to pregnant incarcerated individuals, and to ensure that there is a continuity of care, in particular as it relates to substance abuse treatment, for pregnant incarcerated individuals. The Women's Law Center of Maryland supports this type of legislation as we believe all women are entitled to quality healthcare and medical treatment, regardless of their status within the justice system.

**House Bill 1204 / Senate Bill 993: County Boards and Public and Nonpublic Prekindergarten Programs and Schools – Discrimination – Prohibition**

POSITION: SUPPORT  
RESULT: FAILED

Also known as the Inclusive Schools Act, this legislation would have done three main things: establish prohibitions in all public and nonpublic schools that receive state funding against discriminatory actions; requires schools to have written policies that prohibit discrimination; and create an administrative complaint and remedy process within the Maryland Department of Education (MSDE) by which a student or family member may file a complaint of discrimination.

**Senate Bill 335: Criminal Law – Hate Crimes – Harassment and Destruction of Property**

POSITION: SUPPORT  
RESULT: FAILED

Under prior law, an act is considered a hate crime only if it is determined that the action was done wholly *because* of the victim's identity (gender, race, color, religion, sexual orientation, disability, national origin, or status as a homeless person). This current bill sought to address challenges in the prosecution and adjudication of hate crimes by changing the definition to make an action a hate crime if it is *motivated in part or in whole* by another's identity. While this bill did not pass, a nearly identical piece of legislation, HB917/SB606 did pass during the 2020 session.

**House Bill 608 / Senate Bill 682: Correctional Services – Prerelease Unit for Women  
– Requirement to Operate**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 608/Senate Bill 682 would have changed one simple word in existing law – from “may” to “shall” thereby requiring the Department of Corrections to operate a prerelease unit for women. Currently, the Department of Corrections operates nine prerelease units for men; yet none are in operation for incarcerated women – despite the existence of authority to do so. The WLC supported HB608/SB 682 as a vital change to provide equal opportunities to women that men already receive when they are approaching their reentry to the community from a period of incarceration.

**House Bill 828 / Senate Bill 683: Corrections – Prerelease Unit – Requirements  
(Women's Prerelease Equity Act)**

POSITION: SUPPORT  
RESULT: FAILED

Similar to HB608/SB682, HB828/SB683 would have required any and all prerelease units to be separate, stand-alone structures. The bill also provides that adequate consideration be given to safety issues in light of the characteristics of those entering a prerelease program. The Women's Law Center supported this legislation as good public policy in preparing people to reenter society after a period of incarceration.

**CRIMINAL LAW AND VICTIMS OF CRIME**

**House Bill 81 / Senate Bill 735: Criminal Law – Sodomy – Repeal**

POSITION: SUPPORT  
RESULT: PASSED

This law will repeal the crimes of sodomy and unnatural or perverted practice from Maryland's Criminal code. The Women's Law Center supported this legislation as these laws, particularly the law against sodomy (§3-321), reflect social mores of a past era and the law needed to be updated to reflect both case law and current societal views.

**House Bill 73/Senate Bill 213: Criminal Procedure – Victims and Witnesses –  
Restrictions on Release of Personal Information**

POSITION: SUPPORT  
RESULT: PASSED (Senate Version)

This legislation expands the circumstances under which a victim or witness of a crime may shield their personal information from public inspection in a criminal court proceeding. Victims of misdemeanors have the same concerns for safety and privacy as those involved in felonies, and the WLC is happy to have supported this small change to our laws.

**House Bill 132/Senate Bill 205: Public Safety – Crime of Violence – Witness  
Intimidation**

POSITION: SUPPORT  
RESULT: FAILED

These bills would have added witness intimidation to the list of crimes of violence found in Maryland's Public Safety Code. The Women's Law Center supported these bills because witness intimidation is a serious and sometimes even deadly matter. Being listed as a crime of violence brings with it graver consequences that are appropriate to the circumstances.

**House Bill 493: Criminal Procedure - Criminal Injuries Compensation Fund -  
Conditions for Awards on Claims**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 493 sought to including property damage to the list of permissible reimbursements for victims of crime from the Criminal Injuries Compensation Board. It further assisted victims by making it possible for rightful claims to be considered and paid even when the 48 hour notice requirement was not met.

**MISCELLANEOUS**

**House Bill 953 / Senate Bill 927: Public Ethics – Issue Lobbying Communications –  
Lobbying Registration and Disclosure Requirements**

POSITION: OPPOSED

RESULT: FAILED

This legislation sought to create a new form of lobbying under the Maryland Public Ethics Law, and to establish new disclosure requirements for lobbyists. Amongst its many requirements, it would have required entities engaging in “issue lobbying communications” to report to the State Ethics Commission the name and address of anyone that provided at least 5% of the organization’s total receipts for the past 12 months or anyone who donated in aggregate \$500 or more within the past 12 months. Out of concerns regarding donor confidentiality, and the First Amendment, the Women’s Law Center of Maryland (WLC) respectfully opposed this legislation.

**House Bill 1539 / Senate Bill 630: Grant Applications and Reporting – Uniform Forms and Requirements**

POSITION: FAVORABLE WITH AMENDMENTS  
RESULT: FAILED

This legislation would have established a process to develop and implement a standardized application and budgetary format for state grant applications. The Women’s Law Center (WLC) supported the effort to create a uniform approach to the grant application process in our state as well as the significant re-writes of this bill, with input from MANO – Maryland Association of Non-Profit Organizations.

**House Bill 1009 / Senate Bill 889: Adjudicatory Hearings – Attorney Security Passes for Attorneys in Good Standing**

POSITION: SUPPORT  
RESULT: FAILED

House Bill 1009 and Senate Bill 889 would have required the judiciary to design and implement a system of attorney identification for entering courthouses around the state. The Women’s Law Center supported these bills because our staff attorneys go to a variety of courthouses, sometimes in a single day, and should be afforded the status as officers of the court to avoid the lengthy security checks required by many courthouses.