

2023 Legislative Wrap Up

Priority Legislation

House Bill 705/Senate Bill 798 Declaration of Rights – Right to Reproductive Freedom

SPONSORS: The Speaker and The President
OUTCOME: PASSED
POSITION: SUPPORT

The Declaration of Rights- Right to Reproductive Freedom bill creates a pathway to a constitutional amendment: a ballot initiative in the next general election. If passed by voters, it will enshrine the right to abortion in our constitution and ensure reproductive freedom for all Marylanders for generations to come. It has been less than a year since the *Dobbs* decision was issued, and yet we have already seen its devastating effects across the nation. While reproductive rights are being eroded in neighboring states, we are grateful to have played a role in ensuring Maryland all Marylanders have the fundamental right to reproductive freedom.

House Bill 808/Senate Bill 859 Reproductive Health Protection Act

SPONSORS: Delegates Williams and Hill and Senator Smith
OUTCOME: PASSED
POSITION: SUPPORT

The Reproductive Health Protection Act states unequivocally that Maryland will not participate in the concerted actions of anti-abortion states designed to intimidate Maryland patients and providers and have a chilling effect on the accessing of critical reproductive health care services. It will protect Maryland health care providers, patients, and the people who support patients in their reproductive health decisions from criminal charges, civil litigation, and administrative penalties.

This new law protects patients, providers, and all those who play a supporting role in the provision of abortion care in the following ways:

Summons & Subpoenas

- Maryland courts may not issue out-of-state subpoenas or summonses for cases involving legally protected health care.

Foreign Judgments

- Maryland will not honor a foreign judgment if it arises from a claim related to

legally protected health care.

Extradition

- The Governor SHALL NOT honor another state's extradition request for someone who committed an act in Maryland, or a third state, if it relates to legally protected health care and would not be a crime in Maryland.

Interstate Investigations

- No state funds, personnel, property, or other resources may be used to further an interstate investigation or proceeding seeking to impose civil, criminal, or administrative liability related to legally protected health care.

Provider Licenses

- Health Occupation Boards cannot take adverse actions against a provider because of the provision of, or disciplinary action related to, otherwise lawful legally protected health care.

Malpractice Insurance

- Insurance providers cannot raise premiums or refuse to renew insurance against a provider because of the provision of, or disciplinary action related to, otherwise lawful legally protected health care.

House Bill 3 / Senate Bill 185 Maryland State Police Gun Center – Firearms Surrendered Under Final Protective Orders

SPONSORS: Delegate Bartlett and Senator Beidle
OUTCOME: PASSED
POSITION: SUPPORT

This data collection bill seeks to gain information regarding the surrendering of firearms pursuant to a final protective order. Under current Maryland and federal law, firearms already must be surrendered to law enforcement by a respondent upon the issuance of a final protective order. This new law will require data to be collected regarding the gun surrender process, providing a clear picture of how effective our current processes at keeping firearms out of the hands of respondents who should not have access to them.

House Bill 4/Senate Bill 129 Criminal Law – Sexual Crimes – Repeal of Spousal Defense

SPONSORS: Delegate Crutchfield and Senator Kelly
OUTCOME: PASSED
POSITION: SUPPORT

Unbelievably, in this day and age, the law still prohibits a person from being prosecuted for sexual assaults when the victim is the perpetrator's spouse. Thankfully after this year, that will no longer be the case. The WLC is proud to have been part of the coalition fighting for years to get the so-called spousal defense repealed. The idea that 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 and now it no longer will be.

**House Bill 14/Senate Bill 36
Family Law – Grounds for Divorce**

SPONSORS: Delegate Atterbeary and Senator West
OUTCOME: PASSED
POSITION: SUPPORT

A major victory for proponents of modernizing our family law statutes, this law will provide the overdue and much needed update to grounds for divorce in Maryland, creating the grounds of "irreconcilable differences" (a ground used in many other states), and allowing parties to separate whilst still living in the same house, among other changes.

Domestic Violence and Sexual Assault

**House Bill 16
Primary and Secondary Education – Title IX – Policies and Procedures
(Hear Our Voices Act of 2023)**

SPONSORS: Delegate J. Lewis
OUTCOME: PASSED
POSITION: SUPPORT

Once enacted, this law will require all public schools to provide information to students, faculty, staff, and parents regarding who the Title IX coordinator is for each school, the process for filing a sexual misconduct complaint, and what support measures are in place for victims. It is a small step towards ensuring our education system supports, rather than exploits, victims.

**House Bill 174/Senate Bill 391
Criminal Procedure - Victims of Sexually Assaultive Behavior**

SPONSORS: Delegate Simpson and Senator Lewis Young
OUTCOME: PASSED
POSITION: SUPPORT

This law will require the State's Attorney's office to meet with a victim of sexually assaultive behavior regarding a decision not to file, or dismiss, charges against an alleged suspect. By acknowledging the trauma that these victims have experienced they are treating them with the respect they deserve for being brave enough to report the crime that was committed against them.

**House Bill 186/Senate Bill 148
Victim Services Programs - Supplementing Federal Funding and Support
(Victim Services Stabilization Act)**

SPONSORS: Delegate B. Barnes and Senator Guzzone
OUTCOME: PASSED
POSITION: SUPPORT

This law will help stabilize funding for victim services and address administrative burdens that have put essential projects, like those run by the WLC, in jeopardy by addressing challenges victim services providers experience regarding Federal Victim of Crime Act (VOCA) funds administered by the State. VOCA funding supports services for crime victims across the state of Maryland, and this legislation will help address continuing fluctuations in the funding.

**House Bill 297/Senate Bill 292
Criminal Law – Victims of Child Sex Trafficking –
Safe Harbor and Service Response**

SPONSORS: Delegate Bartlett and Senator Waldstreicher
OUTCOME: PASSED
POSITION: SUPPORT

House Bill 297 will extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. This law will protect, instead of criminalize, children who are victims of human trafficking, and provide them with the specialized services they so desperately need.

**House Bill 307/Senate Bill 858
Firearm Safety - Storage Requirements and Youth Suicide Prevention
(Jaelynn's Law)**

SPONSORS: Delegate Bartlett and Senator Smith
OUTCOME: PASSED
POSITION: SUPPORT

Jaelynn's Law will require the safe storage of firearms away from children, people experiencing suicidal ideation, and any person prohibited from possessing a firearm, including Protective Order respondents. As gun violence has become the number one cause of death for children in this country, this law is a very welcome common sense update to existing law.

House Bill 411/Senate Bill 487
Criminal Procedure - Violation of Pretrial or Post Trial Condition by Incarcerated Person - Victim Contact

SPONSORS: Delegate Embry and Senator Waldstreicher
OUTCOME: PASSED
POSITION: SUPPORT

This law will clarify that an incarcerated person is included amongst those who are prohibited from violating a condition of pretrial or post-trial release that prohibits the person from contacting, harassing, or abusing an alleged victim. The Women's Law Center supported this legislation as a simple fix to clarify what many or most judges already think is covered in existing law.

House Bill 630
Public Utilities - Primary and Secondary Account Holders – Domestic Violence Protections

SPONSORS: Delegate Queen
OUTCOME: PASSED
POSITION: SUPPORT

Once enacted this law will provide an avenue for domestic violence survivors to remove their name from a utility account, whether they are the primary or the secondary account holder. This is a small but important way for a survivor to be able to move forward in their life. People who are experiencing domestic violence often cannot leave their abuser because of the financial intertwining of their lives with their abuser. Things such as a shared utility account can be a factor in whether someone leaves the relationship or home where the abuse is occurring. This will be a valuable change in our laws for survivors to be able to move out and move forward in their lives, helping to sever the ties to their abuser.

Senate Bill 27
Criminal Procedure - Restorative Justice Program

SPONSORS: Senator West
OUTCOME: DEFEATED
POSITION: OPPOSE

This well-intentioned legislation would have created a restorative justice project initiated by prisoners, wherein they can reach out to their victims through a third party to attempt to repair damage done. Given the work we do with survivors, we have grave concerns about possible re-traumatization of survivors. We strongly believe that any restorative justice effort should be initiated by survivors, not perpetrators.

House Bill 412

Criminal Law – Sexual Crimes – Consent and Second-Degree Rape

SPONSORS: Delegate Shetty
OUTCOME: FAILED
POSITION: SUPPORT

Had it passed, this law would have modernized Maryland's current rape law by removing the antiquated *force and threat of force* standard that currently places the onus on a victim to fight off a rapist. Instead, the focus would be whether there was a clear and voluntary agreement between the individuals involved. Consent must be a cornerstone of every sexual encounter and anything short of that must be condemned.

House Bill 748/Senate Bill 755

Law Enforcement Officers – Sexual Contact with Person in Custody – Penalty

SPONSORS: Delegate Williams and Senator Muse
OUTCOME: FAILED
POSITION: SUPPORT

This legislation built upon a 2021 law that ensured law enforcement officers could not engage in sexual conduct with victims, witnesses, or suspects in open investigations, by moving that provision into the previously existing statute prohibiting sexual offenses in the third degree. In so doing, a person violating the law would be guilty of a felony of a instead of a misdemeanor.

House Bill 861/Senate Bill 788

Criminal Procedure - Victim Compensation - Alterations

SPONSORS: Delegate Smith and Senator Hettleman
OUTCOME: FAILED
POSITION: SUPPORT

This legislation was an attempt to improve the process of providing victim compensation to victims of crime in their families. Its aim was to help make the Criminal Injuries Compensation Board a more accessible, non-discriminatory victim compensation process that could provide prompt and crucial financial support when it is needed most, and remove unnecessary and arbitrary denials of financial relief for applicants for expenses incurred as a result of being a victim of crime.

House Bill 861/Senate Bill 788

Criminal Procedure - Victim Compensation - Alterations

SPONSORS: Delegate Smith and Senator Hettleman
OUTCOME: FAILED
POSITION: SUPPORT

Had it passed, this legislation would have improved the process of our current victim compensation agency which is currently almost completely inaccessible to victims of crime and their families. It would have made the Criminal Injuries Compensation Board (CICB) an accessible, non-discriminatory victim compensation process and provided prompt and crucial financial support when it is needed most, whilst removing unnecessary and arbitrary denials of financial relief for applicants for expenses incurred as a result of being a victim of crime.

House Bill 1032

Criminal Procedure - Protection of Identity of Minor Victim

SPONSORS: Delegate Phillips
OUTCOME: FAILED
POSITION: SUPPORT

House Bill 1032 would have required identifying information regarding a minor victim of crime be redacted in a charging document or any other filings in a criminal or juvenile delinquency case. Information necessary for the case could be filed under seal. The court could, if there was clear and convincing evidence of good cause to do so, issue an order otherwise allowing such information to be included in the pleadings. We supported this as it would help protect victim privacy and identity, which is a matter that is of great concern to our clients.

Senate Bill 40

Public Information Act - Inspection of Records From Body-Worn Digital Recording Devices

SPONSORS: Senator Sydnor
OUTCOME: FAILED
POSITION: SUPPORT

This legislation would deny the inspection or copying of the part of a recording from body-worn digital recording devices worn by law enforcement officer regarding survivors of intimate partner violence, sexual assault, and other forms of abuse. The WLC supported SB 31 as we have seen how damaging, scary, and dangerous allowing unfettered access to body-worn camera footage can be when provided to abusers. While we completely support transparency in law enforcement, and recognize the value in allowing access to this footage in most cases, reasonable precautions are required to prevent abuse of the system against victims.

Senate Bill 754
Maryland Wiretap and Electronic Surveillance Reform Workgroup

SPONSORS: Senator Folden
OUTCOME: FAILED
POSITION: SUPPORT WITH AMENDMENTS

Senate Bill 754 would create a workgroup to study Maryland's wiretapping and electronic surveillance laws including how audio and visual recordings can be used in proceedings related to domestic violence, child abuse, and the abuse of the elderly and other vulnerable adults. The workgroup will make recommendations on Maryland's wiretapping and electronic surveillance laws. The WLC supported Senate Bill 754 because there are several bills that, in a piecemeal manner, are trying to address our wiretap laws, but we feel a broader look and overhaul is the best manner to address our current law.

Family Law

House Bill 267/Senate Bill 383
Maryland Child Abduction Prevention Act

SPONSORS : Delegate Bartlett and Senator McKay
OUTCOME: PASSED
POSITION: SUPPORT WITH AMENDMENTS

This law will allow families who are faced with the possibility of one parent taking a child out of the country without their knowledge or permission to seek relief through the courts. By adopting the Uniform Law Commission's Uniform Child Abduction Prevention Act, a parent will have more options to try and prevent the child's abduction.

House Bill 440/Senate Bill 42
Child Custody - Relocation of Child - Expedited Hearing
(Assurance of Child's Safety Act)

SPONSORS: Delegate Charles and Senator Carter
OUTCOME: PASSED
POSITION: SUPPORT WITH AMENDMENTS

This law will create a path to an expedited hearing if a parent or custodian of a child has

plans to relocate the child that will interfere with another parent's parenting time. As amended, this bill creates an avenue for litigants to get a prompt court resolution and will allow the court to consider relocation while maintaining the paramount concern of what is in the best interests of the child. There are often valid reasons for relocation, such as escaping from domestic violence, moving to where there is a support system in place for the parent relocating, including family and childcare options, a better job, etc, but it can also be used nefariously and this law will help courts make the proper determinations quickly.

House Bill 285/Senate Bill 13
Family Law – Custody Evaluators – Qualifications and Training

SPONSORS: Delegate Atterbeary and Senator Carozza
OUTCOME: DEFEATED
POSITION: OPPOSE

House Bill 285 would have moved qualifications for custody evaluators in family law cases from the Maryland Rules to the Maryland Code. While we appreciate the importance of maintaining rigorous qualifications for these evaluators in custody cases in the state, the appropriate place for addressing these issues is in the Rules, which would allow for greater flexibility to update and adapt.

Senate Bill 410
Public Health - Childbirth - Paternity Test

SPONSORS: Senator Watson
OUTCOME: DEFEATED
POSITION: OPPOSE

At its most basic, Senate Bill 410 would require the attending physician at any birth of a child at a health care facility to offer the presumed father a paternity test. However, the impact of this bill was significantly more complicated, upending our current laws on presumptions of parentage for children conceived or born during a marriage, failing to address home births, or mid-wife attended births, and failing to take into consideration the many other ways families are created, including single parents and same-sex couples. There may be a way to provide for paternity tests at or near a child's birth. But this bill was not it.

House Bill 361
Certificates of Birth - Issuance of New Certificates - Sex Designation
(Birth Certificate Modernization Act)

SPONSORS: Delegate Smith
OUTCOME: FAILED
POSITION: SUPPORT

This bill would have repealed the requirement that a licensed health care practitioner determine an individual's sex designation should be changed for the purposes of issuing a new birth certificate. Instead, an individual would make their request to the Maryland Department of Health for a change of sex designation on a birth certificate *under penalty of perjury*, making it easier for transgender and gender non-conforming people to obtain identity documents that match their gender identity.

House Bill 324
Child Abuse and Neglect - Definition of Neglect

SPONSORS: Delegate Lopez
OUTCOME: FAILED
POSITION: SUPPORT

Instead of holding an abuser accountable for their acts of domestic violence, some Child Protective Services workers instead focus on victims, by removing or threatening to remove the children from the victim's care for failing to leave the abuser. This approach is misguided at best and, in some instances, actually increases the danger for the victim and her children. This law would have created a presumption that being a victim of domestic violence is not child abuse or neglect per se.

Reproductive Rights

House Bill 477/Senate Bill 341
Public Senior Higher Education Institutions - Reproductive Health Services Plans
– Requirements

SPONSORS: Delegate Kelly and Senator Feldman
OUTCOME: PASSED
POSITION: SUPPORT

A first in the nation law, and part of the Reproductive Rights Package of 2023, this legislation will soon require higher education institutions to provide 24/7 access to over-the-counter contraceptives, such as condoms and emergency contraception. It requires public higher education institutions to develop a reproductive health access plan to ensure all students have access to the care they need.

House Bill 812/Senate Bill 786
Health - Reproductive Health Services –
Protected Information and Insurance Requirements

SPONSORS: Delegate Rosenberg and Senator Hettleman
OUTCOME: PASSED
POSITION: SUPPORT

A part of the Reproductive Rights Package of 2023, this new law will protect legally protected health care information from being used to instill fear and prosecute patients and providers, rather than further patient health. Under electronic health record systems, protected health information – including reproductive health records - flows easily between states. Under most circumstances, this form of care coordination improves the health outcomes of patients. But in the case of reproductive health, information sharing is putting providers and patients at great risk. Another first-in-the-nation law, this will provide extra layers of protection for reproductive health information in electronic health record systems. Reproductive freedom in Maryland depends on making sure we do not expose the personal information of our providers and patients.

House Bill 958
Public Health – Abortion Heartbeat

SPONSORS: Delegate Metzgar
OUTCOME: DEFEATED
POSITION: OPPOSE

This bill was modeled after Texas SB 8 and is essentially a complete ban on abortion. It would have prohibited a physician from performing an abortion once a fetal heartbeat is detected, with exceptions permitted only if an abortion was medically necessary, and failure to abide by the requirements would be a felony. It further would have allowed any person, whether they even know the pregnant woman, to file a civil action against someone who “knowing engages in conduct that aids or abets the performance or inducement of an abortion.” The WLC strongly believes that reproductive choice is essential for the health and well-being of women in Maryland.

House Bill 973
Health - Abortion - Ultrasound and Waiting Period

SPONSORS: Delegate Ciliberti
OUTCOME: DEFEATED
POSITION: OPPOSE

This legislation is a grave interference with a woman’s statutory right to abortion, all with no medical purpose. The bill provides exceptions to abortion care only for women who have become pregnant as a result of rape or incest, and shockingly excludes medical emergencies, psychological and emotional harm, as well as the risk of self-inflicted harm. Finally, the bill would impose a fine upon medical professionals who do not abide by the requirements, potentially chilling access to needed medical services. The

Women's Law Center opposed HB 973 because it unnecessarily interferes with communication that should be between a doctor and a patient and disregards the bodily and intellectual autonomy of women. These decisions should not be governed by politics.

House Bill 641
Income Tax - Pregnancy Options Tax Credit

SPONSORS: Delegate Wivell
OUTCOME: DEFEATED
POSITION: OPPOSE

This bill, and others like it, sit squarely in the realm of the politicization of health care and promotion of anti-abortion facilities, under the guise supporting women's health. Specifically, it provided for a significant income tax credit, as well as a federal tax deduction, for donations made specifically to what the bill refers to as "pregnancy resource centers" but are more commonly known as Crisis Pregnancy Centers (CPCs). CPCs are organizations that seek to intercept women with unintended pregnancies who might be considering abortion and convince them otherwise using fear-mongering and dubious medical research. Known for their misleading and coercive tactics, particularly against vulnerable and low-income women, numerous studies have been conducted into their predatory and deceptive practices. As CPCs seek to blur the lines between anti-abortion advocacy and health care, organizations such as the American Medical Association and the National Institute for Health have published articles raising concerns about the ethics and risks associated with CPCs, while the American College of Obstetricians and Gynecologists actively warns people seeking reproductive health care to avoid them.

House Bill 1043/Senate Bill 832
Public Health – Pregnancy – Coercion
(Coercive Abuse Against Mothers Prevention Act)

SPONSORS: Delegate McComas and Senator Carozza
OUTCOME: DEFEATED
POSITION: OPPOSE

This legislation was clearly forwarding a political viewpoint ostensibly through a lens of caring for women facing coercive behaviors but disregarding other more common forms of reproductive coercion. Ironically couched in terms of freedom of choice for women, it is plain this is simply an anti-abortion bill dressed up in the guise of seeking to assist vulnerable women. A much better policy would be to strengthen our criminal laws on assault and sexual violence, and increase prosecution under existing laws. In addition, funding more services for victims would offer the greatest chance for victims to live free of their abusers.

House Bill 1101/Senate Bill 901
Maryland Maternity Care Access Program, Fund and Income Tax Checkoff -

Establishment

SPONSORS: Delegate Wivell and Senator McKay
OUTCOME: DEFEATED
POSITION: OPPOSE

Despite its title, House Bill 1101 was actually promoting anti-abortion facilities, under the guise of supporting women's health. It would establish the "Maryland Maternity Care Access Program" to develop and sustain pregnancy support centers, commonly known as Crisis Pregnancy Centers (CPCs). CPCs advertise themselves as legitimate clinical centers offering medical advice regarding pregnancy and reproductive health. In reality, CPCs seek to intercept vulnerable women with unintended pregnancies who might be considering abortion and convince them otherwise using fear-mongering and dubious medical research, such as false claims that abortion can cause health conditions such as breast cancer.

House Bill 666/Senate Bill 566 Family Law – Fundamental Parental Rights

SPONSORS: Delegate Millerand Senator Ready
OUTCOME: DEFEATED
POSITION: OPPOSE

This legislation would have created a fundamental right for parents to make all decisions about their children absent a clear and convincing evidentiary showing of an important government interest. We opposed this as it would have made a parent's rights more important or superior to a child's best interests and would potentially overrule settled law derived from the US Supreme court down to school board decisions in a particular locality.

House Bill 995/Senate Bill 790 Commercial Law – Health Data Privacy

SPONSORS: Delegate Love and Senator Hettleman
OUTCOME: FAILED
POSITION: SUPPORT

This bill aimed at ensuring that the private health information of individuals online is not utilized to prosecute, harass, or intimidate people seeking reproductive health care. Specifically, it provided that a private entity may not collect, use, disclose or disseminate the private health data of a consumer without the consumer's express consent. Amongst the many things included as health data are medical information, diagnostic testing, treatments, medication, and significantly, legally protected health care, which includes all reproductive health services related to pregnancy, contraception, assisted

reproduction, and abortion. Reproductive freedom depends on the ability to keep personal information private. But it is nearly impossible not to leave an electronic trail when seeking reproductive health information and services. The harsh reality is that people can be easily identified through their searches for a reproductive health care provider on the internet; the use of their phones for driving directions to a reproductive health provider; or geo-tracking applications collecting data on an individual's precise location. In this post-*Dobbs* environment, online information will be sought by states and anti-abortion organizations aiming to intimidate people seeking reproductive health services. The disclosure of online data will put reproductive health patients at risk for civil litigation or even criminal charges.

**House Bill 356
Public Institutions of Higher Education –
Pregnant and Parenting Students – Policy**

SPONSORS: Delegate Healey
OUTCOME: FAILED
POSITION: SUPPORT

This bill would have required all colleges and universities to adopt policies related to pregnant and parenting students consistent with Title IX of the Federal Higher Education Act ("Title IX") and post them on the institution's website.

**House Bill 523/Senate Bill 759
Correctional Services - Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)**

SPONSORS: Delegate Mireku-North and Senator Carter
OUTCOME: FAILED
POSITION: SUPPORT

This legislation would have created the Healthy Start Bonding Program within the Maryland correctional system which would allow women who are on pre-release status who have recently given birth to reside with their child in the prerelease unit for up to one year following the birth of the child. We Supported these bills because the WLC believes that keeping families together whenever possible is in the best interest of children, families, and our society at large.

**Senate Bill 784
Health Insurance – Labor and Delivery Services – Cost-Sharing Requirements**

SPONSORS: Senator Ready
OUTCOME: FAILED
POSITION: SUPPORT

Senate Bill 784 will require insurance companies, non-profit health service plans, and health maintenance organizations that provide labor and delivery coverage and are regulated by the state to provide those services without a deductible, coinsurance, copayment, or any other cost-sharing requirement. The Women’s Law Center of Maryland supported SB784 as it would have benefited women and families in several ways, including by improving maternal and infant health outcomes, economic security, and reproductive autonomy.

Economic Security and Employment Law

House Bill 549/Senate Bill 555 Fair Wage Act of 2023

SPONSORS: The Speaker and The President
OUTCOME: SENATE VERSION PASSED/HOUSE VERSION FAILED
POSITION: SUPPORT

Since the legislature passed the Minimum Wage Act in 2019, Marylanders have weathered a pandemic and sustained economic instability. Unfortunately, the wage increases implemented by the 2019 law have not kept up with inflation, meaning that those workers who we relied upon so heavily over the past several years are in many cases no better off than they were before the passage of the 2019 law. To fix this, The Fair Wage Act of 2023 will accelerate the timeline so that all affected workers will be making \$15 by the end of this year.

House Bill 454/Senate Bill 187 Health Occupations – Licenses, Certificates, and Registrations – Immigrants

SPONSORS: Delegate Lopez and Senator Kagan
OUTCOME: PASSED
POSITION: SUPPORT

A frequent barrier preventing immigrant residents from fully participating in the workforce and employing their training is the requirement that some occupational licenses from the State are contingent on citizenship of the United States. This new law will remove that requirement for occupations regulated by a health occupations board, allowing all Maryland residents to fully utilize their skills and education to the betterment of their families and our communities.

House Bill 988/Senate Bill 828
Family and Medical Leave Insurance Program – Modifications

SPONSORS: Delegate Qi and Senator Hayes
OUTCOME: PASSED
POSITION: SUPPORT

The 2022 Time to Care Act was just the first step in realizing paid Family and Medical Leave in Maryland. The critical work to create and implement an accessible, equitable, and robust Family and Medical Leave Insurance (FAMLI) program is the next major step in fulfilling its promise, and the General Assembly undertook that effort by passing this legislation. This new law builds the FAMLI Program by specifying various aspects of programmatic implementation, administration, and the cost-sharing split.

House Bill 1015/Senate Bill 902
**Labor and Employment – Maryland Healthy Working Families Act –
Seasonal Temporary Workers**

SPONSORS: Delegate Hartman and Senator Carozza
OUTCOME: DEFEATED
POSITION: OPPOSE

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. Since the 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.

House Bill 17
Employment Standards – Retail Establishments - Seating for Employees

SPONSORS: Delegate Stewart
OUTCOME: FAILED
POSITION: SUPPORT

House Bill 17 sought to require retail employers with 20 or more employees to provide seating accommodations for employees, where the nature of the work is such that it can be reasonably performed while seated. Women with disabilities are more likely to be low-income wage earners or to live in poverty compared to any of their other counterparts. This would have been a small accommodation to assist in keeping them employed.

House Bill 28
Income Tax – Credit for Caregivers of Senior Family Members

SPONSORS: Delegate Lehman
OUTCOME: FAILED
POSITION: SUPPORT

House Bill 28 sought to provide an income tax credit to those who provide caregiving services to older family members. Nearly 40% of Marylanders are providing regular care or assistance to an elderly parent or parent-in-law, and 57% of all caregivers in Maryland are women. As our nation faces an on-going crisis of care, derived from the pandemic, staffing shortages, and an increasingly aging population, any relief we can provide to members of the sandwich generation would benefit Maryland families.

House Bill 87/Senate Bill 52
Nutrition Assistance Programs – Waiver –
Diapers and Menstrual Hygiene Products

SPONSORS: Delegate Stewart and Senator Elfreth
OUTCOME: FAILED
POSITION: SUPPORT

These bills sought to allow benefits under the Supplemental Nutrition Assistance Program (SNAP), or the Special Supplemental Nutrition Assistance Program for Women Infants, and Children (WIC) to be used to purchase diapers or menstrual products. The purpose of the SNAP and WIC programs are to increase health outcomes for low-income women and families in Maryland and while diapers and menstrual products are not explicitly related to nutrition, they are both necessities and lack of access to such products is linked to negative health consequences.

House Bill 181/Senate Bill 197
Four-Day Workweek Pilot Program and Income Tax Credit - Established
(Four- Day Workweek Act of 2023)

SPONSORS: Delegate Stewart and Senator Hettleman
OUTCOME: FAILED
POSITION: SUPPORT

Had it passed, this law would have provided the option for public and private businesses, with at least 30 employees, to participate in a 4-day work week pilot program, without a reduction in employee salary or benefits, in exchange for a tax credit. This creative attempt at changing our antiquated labor standards unfortunately did not find much support in the legislature, but hopefully will continue to build momentum in the private sector.

House Bill 318/Senate Bill 604
Maryland Medical Assistance Program –
Provider Agencies and Personal Care Aides - Reimbursement and Wages

SPONSORS: Delegate Bagnall and Senator Benson
OUTCOME: FAILED
POSITION: SUPPORT

This legislation sought to increase funding for certain Medicaid-funded home care programs while also ensuring that home care workers get a fairer share of that money – improving job quality, recruitment, and retention. As our nation faces an on-going crisis of care, derived from the pandemic, staffing shortages, and an increasingly aging population, we must address these issues to support Maryland families and workers.

House Bill 349/Senate Bill 345
Maryland Fair Scheduling Act

SPONSORS: Delegate Foley and Senator Benson
OUTCOME: FAILED
POSITION: SUPPORT

The lack of predictability of a job schedule impacts the lives of working parents and care-givers, workers seeking to further their careers through additional education, and other people with multiple claims to their time. This law would have created more reliable scheduling opportunities for employees and would have had a positive effect on working Maryland families.

House Bill 489
Service Agencies - Reimbursement - Personal Assistance Services

SPONSORS: Delegate R. Lewis
OUTCOME: FAILED
POSITION: SUPPORT

House Bill 489 sought to address the illegal practice of misclassification of employees of residential service agencies as independent contractors rather than employees. Misclassification of employees denies those workers of benefits they are entitled to under the law, including overtime pay, minimum wage, and workers' compensation. It also leads to substantial losses to the state, of funds that should have been paid into unemployment insurance and workers' compensation funds.

House Bill 490/Senate Bill 230

Residential Service Agencies – Employee Registry

SPONSORS: Delegate R. Lewis and Senator Beidle
OUTCOME: FAILED
POSITION: SUPPORT WITH AMENDMENTS

This legislation sought to follow the lead of other states by creating a healthcare worker registry in an attempt to improve quality of care and ensure that there is a workforce of homecare workers able to meet the needs of a growing aging population in the state.

House Bill 725/Senate Bill 468 Maryland Medical Assistance Program, Maryland Children's Health Program, and Community First Choice Program - Reimbursement of Service Providers

SPONSORS: Delegate Henson and Senator Rosapepe
OUTCOME: FAILED
POSITION: SUPPORT

These bills sought to increase funding for nursing home workers by increasing the Medicaid reimbursement rate from 4% to 10% – and ensuring the increase goes directly towards wages and benefits. As our nation faces an on-going crisis of care, derived from the pandemic, staffing shortages, and an increasingly aging population, anything we can do to address these issues will benefit Maryland workers and Maryland families.

House Bill 832 Labor and Employment - Equal Pay for Equal Work - Wage Range Transparency

SPONSORS: Delegates Queen and White
OUTCOME: FAILED
POSITION: SUPPORT

House Bill 832 aimed to address the persistent gender wage-gap that leaves women, and Women of Color, particularly, earning and saving less than their male counterparts by providing applicants with a salary range that the employer is willing to pay which in turn helps level the negotiating playing field. While we are grateful to the Maryland General Assembly for passing the 2016 Equal Pay for Equal Work Act, as well as legislation in 2020 that ensures salary history isn't relied upon when determining pay, there is still more work to be done before all women reach salary equity.

Senate Bill 344 Income Tax - Caregiver Tax Credit

SPONSORS: Senator Benson

OUTCOME: FAILED
POSITION: SUPPORT

Senate Bill 344 sought to provide an income tax credit of up to 30% of the cost of qualified expenses related to the caregiving of an immediate family member. These qualified expenses can include the cost of personal or in-home care, assistive care technology, and even legal or financial services related to the care. As our nation faces an on-going crisis of care, derived from the pandemic, staffing shortages, and an increasingly aging population, any relief we can provide to members of the sandwich generation will benefit Maryland families.

Senate Bill 809
Education - Public School Employees - Parental Leave

SPONSORS: Senator A. Washington
OUTCOME: FAILED
POSITION: SUPPORT

The issue of parental leave is of particular concern to the Women’s Law Center as women continue to be the primary caregivers for children and family members. Across the nation, fewer than 25% of school districts offer paid family leave, despite the considerable amount of evidence supporting its medical and economic benefits. More than 75% of teachers are women and given the record number of teachers, and women in general, leaving the work force in the aftermath of the pandemic, paid parental leave is just one tool that districts can offer to improve retention and employment satisfaction.

Civil Rights and Access to Justice

House Bill 13/ Senate Bill 5
Hate Crimes – Civil Remedies

SPONSORS: Delegate Crutchfield and Senator Kramer
OUTCOME: PASSED
POSITION: SUPPORT

This law will provide a civil remedy for individuals who have been the victim of a hate crime, enabling them to recover damages for economic and noneconomic harms caused by the acts. Hate crimes are intended to intimidate the victim and the victim’s community, but also result in physical and economic repercussions similar to other crimes. Victims of hate crimes will now have an avenue to access our justice system and the opportunity to be made whole after experiencing the economic and noneconomic damages of these threatening actions.

House Bill 772/Senate Bill 540
Human Relations - Civil Rights Enforcement - Powers of the Attorney General

SPONSORS: The Speaker and The President
OUTCOME: SENATE VERSION PASSED/HOUSE VERSION FAILED
POSITION: SUPPORT

This new law will provide the Attorney General with the authority to investigate conduct that violates any federal or State civil rights, along with subpoena authority to obtain information in the course of the investigation, in particular in cases of discrimination based on sex. We were proud to support this law and believe the Office of the Attorney General could play a pivotal role in addressing several issues at the heart of the WLC's mission, including sexual harassment within the workplace and the persistence of the gender pay gap.

House Bill 1066
Hate Crimes - Commission on Hate Crime Response and Prevention - Establishment

SPONSORS: Delegate Vogel
OUTCOME: PASSED
POSITION: SUPPORT WITH AMENDMENTS

This new law codifies the work of many years of collaborative efforts between statewide organizations united against hate crimes and other biased based criminal acts by creating the Commission on Hate Crime Response and Prevention. The Commission, chaired by the Attorney General, will be comprised of representatives from various communities disproportionately targeted by hate and bias crimes, and be tasked with developing strategies to prevent and respond to hate crimes as well as evaluate state laws and policies relating to hate crimes. The WLC is proud to have partnered with the Maryland Office of the Attorney General and many of the organizations listed within the bill, for the past several years on these issues. We are grateful that the legislature moved forward with including the WLC on the Commission.

House Bill 283/Senate Bill 460
Maryland Medical Assistance Program – Gender–Affirming Treatment (Trans Health Equity Act)

SPONSORS: Delegate Kaiser and Senator M. Washington
OUTCOME: PASSED
POSITION: SUPPORT

For over fifty years the Women's Law Center has been a leading voice in the fight for women's rights and gender equity. When we say women, that always includes

transgender women. Thus, the struggle for trans rights must be an integral part of our continued fight against systems of oppression. The Trans Health Equity Act, which will close gaps in our systems for providing medically necessary health care, is a matter of equity and dignity that we were proud to support.

House Bill 328/Senate Bill 112
State Finance and Procurement – Grants – Prompt Payment Requirement

SPONSOR: Delegate Kaiser and Senator Kagan
OUTCOME: PASSED
POSITION: SUPPORT

Once enacted, this law will bring “payment parity” to nonprofits delivering state services so that these providers will receive the same security for prompt payment that is already in law and regulation for procurement contracts.

House Bill 745/Senate Bill 340
Criminal Law – False Statements – Emergency of Commission of Crime
(Antiswatting Act of 2023)

SPONSORS: Delegate Hill and Senator Kagen
OUTCOME: PASSED
POSITION: SUPPORT WITH AMENDMENTS

This law will prohibit a person from knowingly making a false statement, report, or complaint of an emergency or alleged commission of a crime to a government emergency responder with reckless disregard of causing bodily harm to an individual as a direct result of a response to the statement. Any person found guilty of this violation will face criminal penalties and be civilly liable to any individual who is injured as a result of the violation. using law enforcement, a vital public service, for no good means, perhaps limiting law enforcement’s ability to respond to a valid call. The WLC expressed concerns regarding ways this may be abused against victims, but understands the need for this important legislation, especially in light of the growing number of calls made throughout the country to emergency responders with false statements of an active shooter or bomb threat.

House Bill 40/Senate Bill 84
Places of Public Accommodation and Public Buildings -
Gender-Inclusive Signage

SPONSORS: Delegate Solomon and Senator Kagan
OUTCOME: FAILED
POSITION: SUPPORT

Had it been enacted, this would have required any single-occupancy bathroom in a

place of public accommodation or in a public building, to be marked with gender-inclusive signage, rather than an indication that the restroom may only be used by a specific gender. While this may seem small and inconsequential, it would have helped build a more inclusive and affirming community for everyone, and in particular transgender and non-binary Marylanders.

**House Bill 44/Senate Bill 190
Correctional Services – Pregnant Incarcerated Individuals
Substance Abuse Assessment and Treatment**

SPONSORS: Delegate Lopez and Senator West
OUTCOME: FAILED
POSITION: SUPPORT

Seeking to require each local correctional facility in 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, this law would have ensured that there is a continuity of care, in particular as it relates to substance abuse treatment, for pregnant incarcerated individuals.

**House Bill 129/Senate Bill 619
Courts – Civil Actions – Strategic Lawsuits Against Public Participation**

SPONSORS: Delegate Rosenberg and Senator Hettleman
OUTCOME: FAILED
POSITION: SUPPORT

Strategic Lawsuits Against Public Participation (SLAPP Suits) intentionally target survivors, whistleblowers, and advocates who speak out against powerful perpetrators, creating a chilling effect on other victims who may seek to do the same. They have become an all-too common tool at silencing criticism and intimidating victims. This law would have helped prevent this form of litigation abuse.

**House Bill 426/Senate Bill 761
Correctional Facilities – Transgender, Nonbinary, and Intersex Inmates
(Transgender Respect, Agency, and Dignity Act)**

SPONSORS: Delegate Lopez and Senator Carter
OUTCOME: FAILED
POSITION: SUPPORT

House Bill 426 would have required correctional facilities to inquire as to an inmate's gender identity and proper pronouns and then ensure that inmates are addressed using those identifiers and are searched and housed according to their gender identity, not

sex-at-birth. This policy has successfully been in place in facilities within the United Kingdom since 2011. It is time that Maryland joins those areas in providing dignity and respect, as well as safer conditions, to transgender inmates.

House Bill 1226
Economic Development - Nonprofit Sustainability Fund - Establishment

SPONSORS: Delegate Healey
OUTCOME: FAILED
POSITION: SUPPORT

HB1226 would have imposed a mandated appropriation in the annual State Budget Bill, establishing the Nonprofit Sustainability Fund in the Department of Commerce to provide general operating support to nonprofit organizations in the State. The grant fund would support an estimated 2,100 small and medium-sized organizations annually, with an emphasis on human services organizations, culturally specific organizations serving historically underserved and underrepresented communities, and small nonprofits located outside metro areas.