

2023 LEGISLATIVE SESSION WRAP-UP

MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE

THE MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE (MNADV)

is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens.

MNADV was busy in Annapolis during the 2023 legislative session engaging in budget advocacy, testifying on bills, and talking with legislators about our [policy priorities](#). With a new Governor, Lt. Governor, Comptroller, and Attorney General, as well as many newly elected legislators, we were able to build new relationships and establish the necessary foundation for continued legislative success. There were several pressing issues that the General Assembly addressed during the session including responses to the *Dobbs* decision and the *Bruen* decision both which impact survivors of domestic violence. We are active in multiple coalitions which allows us to broaden our impact including the Maryland Violence Prevention Coalition, Marylanders for Reproductive Choice, and the Maryland Human Trafficking Task Force.

We are tremendously grateful to all our members, member programs, and survivors that supported our efforts in Annapolis by calling and emailing legislators, testifying in Annapolis, and submitting written testimony. MNADV is also thankful for those that participated in weekly calls to offer thoughts and feedback on legislation introduced as well as the support and insights offered by the Legislative Subcommittee of the MNADV Board. Our legislative successes would not have been possible without the collaboration of Dorothy Lennig of the House of Ruth of Maryland, Lisae Jordan, Executive Director & Counsel of our sister coalition, the Maryland Coalition Against Sexual Assault, Michelle Siri and Laure Ruth of the Women's Law Center of Maryland, and Debbie Feinstein and Joyce King co-chairs of the Maryland State's Attorney's Association's Special Victims Committee.

Below are some highlights of legislation from the 2023 session that impact our work and those that we serve. Please contact MNADV's Public Policy Director, Melanie Shapiro, at mshapiro@mnadv.org with any questions regarding legislation from the 2023 session or with ideas for future legislation.

BILLS THAT PASSED

BUDGET AND FUNDING:

HB 200: Budget Bill (Fiscal Year 2024)

SUMMARY: Level funding was maintained for the Maryland Domestic Violence Program (DOMV) which provides funds for the comprehensive domestic violence programs in Maryland. The Domestic Violence Centers Grant was funded at \$1 million dollars.

HB 186/SB 148: Victim Services Programs – Supplementing Federal Funding and Support (Victim Services Stabilization Act)

MNADV POSITION: Support

SPONSORS: Delegate Barnes and Senator Guzzone

SUMMARY: Requires the Governor of Maryland to allocate in the annual budget an appropriation that combined with the federal Victims of Crime Act (VOCA) funds awarded in the prior year equals a total of \$60 million dollars. The funds must be administered in a unified process with the federal VOCA funds with separate financial reporting as required to comply with federal and state regulations.

Effective Date: July 1, 2023

CIVIL LAW AND FAMILY LAW

HB 14/SB 36: Grounds for Divorce

MNADV POSITION: Support

SPONSORS: Delegate Atterbeary and Senator West

SUMMARY: Improves the process to obtain a divorce by allowing parties to divorce after 6 months separation or pursuant to irreconcilable differences. The bill repeals the existing grounds for divorce in Maryland and repeals the limited divorce. Provisions regarding a mutual consent divorce remain unchanged. Parties obtaining a divorce on the grounds of 6 months separation can reside under the same roof.

Effective Date: October 1, 2023

HB 440/SB 42: Relocation of Child – Expedited Hearing (Assurance of Child's Safety Act)

MNADV POSITION: No position

SPONSORS: Delegate Charles and Senator Carter

SUMMARY: Requires the court to set a hearing on an expedited basis when there is an existing custody or visitation order that requires either party provide advance written notice of at least 90 days of the intent to relocate the permanent residence of the party or the child and the relocation would significantly interfere with the other parent's ability to maintain the predetermined parenting time schedule.

Effective Date: October 1, 2023

HB 267/SB 383: Family Law – Maryland Child Abduction Prevention Act

MNADV POSITION: No position

SPONSORS: Delegate Bartlett and Senator McKay

SUMMARY: Authorizes a court, in any custody or visitation proceeding, to require a party to provide advance written notice to the court and/or the other party of the intent to travel outside the United States with the child. The bill also authorizes a court to order abduction prevention measures in a child custody proceeding if the court finds that the evidence establishes a credible risk of abduction of the child and establishes procedures by which a party or another individual or entity, as specified, may file a petition seeking such measures. Included in the many factors for the court to consider in determining whether there is a credible risk of abduction are whether either party has engaged in domestic violence, stalking, or child abuse or neglect.

Effective Date: October 1, 2023

CRIMINAL LAW AND CRIMINAL PROCEDURE

HB 4/SB 129: Sexual Crimes – Repeal of Spousal Defense

MNADV POSITION: Support

SPONSORS: Delegate Crutchfield and Senator Kelly

SUMMARY: Repeals the defense of marriage to all sexual crimes.

Effective Date: October 1, 2023

HB 174/SB 391: Victims of Sexually Assaultive Behavior

MNADV POSITION: Support

SPONSORS: Delegate Simpson and Senator Lewis Young

SUMMARY: Requires a State's Attorney with knowledge of the case to meet with a victim of sexually assaultive behavior or the victim's representative within 20 days of receiving a request to meet regarding a decision to not file charges or to dismiss charges against an alleged suspect. The meeting can be in person, on the phone, or by any other agreed-upon means.

Effective Date: October 1, 2023

HB 411/SB 487: Violation of Pretrial or Post trial Condition by Incarcerated Person - Victim Contact

MNADV POSITION: Support

SPONSORS: Delegate Embry and Senator Waldstreicher

SUMMARY: Clarifies existing law regarding pretrial or post trial conditions to ensure that they apply to an individual whether they are in the community or remain incarcerated. It is a misdemeanor if a person violates a pretrial or post trial condition preventing the person from contacting, harassing, or abusing an alleged victim or going in or near an alleged victim's residence or place of employment when a person is charged with a crime against a victim who is eligible for a protective order, a victim of stalking, a victim of a crime of violence, or a minor victim of a sexual crime whether the individual is in the community or incarcerated.

Effective Date: October 1, 2023

ECONOMIC JUSTICE/HOUSING

HB 111/SB 26: Maryland Medical Assistance Program, Maryland Children's Health Program, and Workgroup on Low-Income Utility Assistance

MNADV POSITION: No Position

SPONSORS: Delegate Charkoudian and Senator Augustine

SUMMARY: Creates an Express Lane Eligibility Program that enrolls individuals in Medicaid and the Maryland Children's Health Program if they are eligible for Supplemental Nutrition Assistance Program and are prohibited from considering other income or eligibility requirements. The Program must be established by January 1, 2025, subject to limitations of the state budget and if permitted under federal law, The bill also requires the Workgroup on Low-Income Utility Assistance to submit a final report on or before January 1, 2024.

Effective Date: October 1, 2023

HB 215/SB 450: Limitations on Summoning Law Enforcement or Emergency Services – Prohibition

MNADV POSITION: Support

SPONSORS: Delegate Palakovich Carr and Senator Gile

SUMMARY: Prohibits a landlord from using a lease or form of lease that contains provisions that limits a tenant's ability to summons police. It further prevents a landlord from penalizing or taking retaliatory action against a tenant or another individual solely for summoning the assistance of law enforcement or emergency services. Prohibits a local jurisdiction from enacting laws or ordinances known as nuisance laws, that establishes a threshold of requests to summons law enforcement or emergency services or penalizes for summoning law enforcement or emergency services.

Effective Date: October 1, 2023

HB 502/SB 2: Department of Human Services – Electronic Benefits Transfer Cards – Theft of Benefits (Prevent Electronic Benefits Theft Act of 2023)

MNADV POSITION: No Position

SPONSORS: Delegate R. Lewis and Senator Hester

SUMMARY: Provides that if an investigation by the Department of Human Services finds that benefits were lost as the result of a theft, the benefits shall be restored without requiring any additional action by the household.

NOTES: [Here](#) is a link to FAQs and forms to file if benefits were stolen.

Effective Date: April 24, 2023

HB 630: Utility Account Holders – Victims of Abuse – Protections

MNADV POSITION: Support

SPONSORS: Delegate Queen

SUMMARY: Enables a victim of domestic violence to remove their name from an existing utility account and establish a new account even if there are arrears.

NOTES: MNADV was the lead advocate on this bill. It was signed into law by Governor Moore.

Effective Date: October 1, 2023

HB 988/SB 828: Family and Medical Leave Insurance Program – Modifications

MNADV POSITION: Support

SPONSORS: Delegate Qi and Senator Hayes

SUMMARY: Modifies the timeline for implementation of the Family and Medical Leave Insurance (FAMLI) program, sets the contribution rate for the program with a cost-sharing split of 50% employees, 50% employers, includes reporting requirements, and includes other modifications and clarifications to ensure the effective implementation of FAMLI.

Effective Date: June 1, 2023

SB 756: Access to Counsel in Evictions – Funding

MNADV POSITION: Support

SPONSORS: Senator Guzzone

SUMMARY: Extends the requirement through fiscal year 2027 that \$14 million dollars of abandoned property funds be distributed to the Access to Counsel in Evictions Special Fund administered by the Maryland Legal Services Corporation.

NOTES: [HB 826](#) sponsored by Delegate Wilkins passed the House but did not receive a vote in the Senate.

Effective Date: October 1, 2023

SB 848: Statewide Rental Assistance Voucher Program – Establishment

MNADV POSITION: No Position

SPONSORS: Senator Guzzone

SUMMARY: Creates the Statewide Rental Assistance Voucher Program in the Department of Housing and Community Development to provide vouchers and housing assistance payments for low-income families that are currently on a waiting list under the federal Housing Choice Voucher Program for housing in units approved by Department of Housing and Community Development or a public housing agency.

NOTES: [HB 826](#) sponsored by Delegate Wilkins passed the House but did not receive a vote in the Senate.

Effective Date: October 1, 2023

FIREARMS AND PUBLIC SAFETY:

HB 3/SB 185: Maryland State Police Gun Center – Firearms Surrendered Under Final Protective Orders

MNADV POSITION: Support

SPONSORS: Delegate Bartlett and Senator Beidle

SUMMARY: Requires the Maryland State Police Gun Center to track, screen, and vet all firearms surrendered pursuant to final orders of protection in Maryland. Each law enforcement agency must report to the Maryland State Police Gun Center the number and type of firearms surrendered under a final order of protection, the jurisdiction where the firearm was surrendered, and information regarding the individual who surrendered the firearm including their age and jurisdiction of residence.

Effective Date: October 1, 2023

HB 824: Regulated Firearms – Possession and Permits to Carry, Wear, and Transport a Handgun

MNADV POSITION: Support

SPONSORS: Delegate Clippinger

SUMMARY: Prohibits certain individuals from possessing a firearm and/or obtaining a wear, carry, or transport permit. The prohibitions include prohibiting persons that are on supervised probation for violating an interim or final protective pursuant to § 4-509 of the Family Law Article from possessing a firearm. The bill also prohibits the issuance of a wear, carry permit for anyone on supervised probation for a crime punishable for 1 year or more or for violating a protective order and prohibits a permit for an individual who is the Respondent of a current final protective order. The cost of wear carry permits increases, the training requirements necessary to obtain the permit are enhanced, and the bill requires the regular review of permit holders to ensure that they still qualify for a wear, carry, or transport permit.

Effective Date: October 1, 2023

SB 1: Wearing, Carrying, or Transporting Firearms – Restrictions (Gun Safety Act of 2023)

MNADV POSITION: Support

SPONSORS: Senator Waldstreicher

SUMMARY: Limits where an individual can wear, carry, or transport a firearm and requires the firearm be concealed under clothing when carried. The limitations include that a person wearing, carrying, or transporting a firearm may not enter or trespass in the dwelling of another unless they have been given express permission, either to the person or to the public generally, to wear, carry, or transport a firearm inside the dwelling. A dwelling is defined as “a building or part of a building that provides living or sleeping facilities for one or more individuals.” A person also is prohibited from entering or trespassing on property with a firearm where it is posted conspicuously against wearing, carrying, or transporting a firearm on the property. It is prohibited for a person to wear, carry, or transport a firearm in a government or public infrastructure area which includes a building owned or leased by a unit of State or local government. Certain government or public infrastructure areas must display a clear and conspicuous sign that states that it is not permissible to wear, carry or transport a firearm in the building or that part of the building at the Main Entrance of the building or part of a building that is owned or leased by a unit of State or local government.

Effective Date: October 1, 2023

SB 858: Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

MNADV POSITION: Support with Amendments

SPONSORS: Senator Smith

SUMMARY: Requires the safe storage of firearms to prevent access by an unsupervised minor.

Notes: **HB 307** sponsored by Delegate Bartlett passed the House but did not receive a vote in the Senate.

Effective Date: October 1, 2023

REPRODUCTIVE JUSTICE:

HB 477/SB 341: Public Senior Higher Education Institutions – Reproductive Health Services Plans – Requirements

MNADV POSITION: Support

SPONSORS: Delegate Kelly and Senator Feldman

SUMMARY: Requires public senior higher education institutions to develop and implement a reproductive health services plan by August 1, 2024, in consultation with students, to either provide a comprehensive range of reproductive health services at the senior higher education institution or to refer students to reproductive health services. The health services shall include abortion care access, prevention and treatment services for sexually transmitted infections, and all methods of FDA approved contraception, including prescription emergency contraception. In lieu of a plan, the University of Baltimore must provide students with access to over-the-counter contraception through on-campus retail establishments or vending machines.

Effective Date: July 1, 2023

HB 705/SB 798: Declaration of Rights – Right to Reproductive Freedom

MNADV POSITION: Support

SPONSORS: Speaker Jones and President Ferguson

SUMMARY: Enshrines in Maryland's Constitution the right to reproductive freedom. It will be on the 2024 ballot.

Effective Date: Subject to a constitutional referendum.

HB 808/SB 859: Reproductive Health Protection Act

MNADV POSITION: Support

SPONSORS: Delegate Williams and Senator Smith

SUMMARY: Shields health care providers, patients, and the people who support patients in their reproductive health decisions from criminal charges, civil litigation, and administrative penalties they may face in other states.

Effective Date: June 1, 2023

HB 812/SB 786: Reproductive Health Services – Protected Information and Insurance Requirements

MNADV POSITION: Support

SPONSORS: Delegate Rosenberg and Senator Hettleman

SUMMARY: Protects reproductive health information in electronic health record systems, often called health information exchanges. Ensures Maryland's state government protects personal information of patients and providers that may be stored in databases.

Effective Date: June 1, 2023

INTERSECTIONAL AREAS OF LAW:

HB 283/SB 460: Maryland Medical Assistance Program – Gender-Affirming Treatment (Trans Health Equity Act)

MNADV POSITION: No position

SPONSORS: Delegate Kaiser and Senator M. Washington

SUMMARY: Requires Maryland Medicaid, effective Jan. 1, 2024, to provide coverage for certain gender-affirming treatments and it must be done in a non-discriminatory manner. The expanded treatments that require coverage include hormone therapy, hair alteration, voice therapy, physical alterations to the body, and fertility preservation.

Effective Date: October 1, 2023

HB 297/SB 292: Victims of Child Sex Trafficking and Human Trafficking – Safe Harbor and Service Response

MNADV POSITION: Support

SPONSORS: Delegate Bartlett and Senator Waldstreicher

SUMMARY: Creates a Safe Harbor for child victims of sex trafficking and human trafficking for prostitution and certain non-violent misdemeanor offenses committed as a direct result of their victimization. Outlines the process for law enforcement when they encounter a child victim of trafficking including contacting the regional navigator and the local child welfare agency and prohibiting the detention of the child. The bill also creates a hearing procedure for courts when the child's attorney, state's attorney or the court files a motion during any point of a pending court proceeding that a child is a victim of sex trafficking or human trafficking and that a qualifying offense was committed as the direct result of trafficking. If the court finds that the child is a victim, and the offense is a qualifying offense, and it was committed as the direct result of trafficking the court shall dismiss the charge.

Effective Date: October 1, 2023

HB 328/SB 112: State Finance and Procurement – Grants – Prompt Payment Requirement

MNADV POSITION: Support

SPONSORS: Delegate Kaiser and Senator Kagan

SUMMARY: Provides that nonprofits delivering state services have the same security for prompt payment that is already in law and regulation for procurement contracts. The bill establishes that it is the policy of the State to make payment under the included grant agreements with nonprofit organizations within 37 days of the payment becoming due under the grant agreement or if later, after receiving a proper invoice.

Effective Date: June 1, 2023

HB 1191/SB 797: Task Force on Preventing and Countering Elder Abuse

MNADV POSITION: Support

SPONSORS: Delegate Pasteur and Senator Hettleman

SUMMARY: Creates the Task Force on Preventing and Countering Elder Abuse to study existing laws, policies, and practices relating to elder abuse and other crimes commonly committed against older adults and make recommendations regarding changes to State law, policy, and practice that would aid in preventing elder abuse.

Effective Date: July 1, 2022

SB 209: Task Force to Study Crime Classification

MNADV POSITION: Support with Amendments

SPONSORS: Senator West

SUMMARY: Creates the Task Force to Study Crime Classification to study and make recommendations regarding a method for classifying crimes and civil offenses under State law and identify and logically categorize all crimes and civil offenses that exist under State law.

NOTES: MNADV is on the Task Force.

Effective Date: June 1, 2023



BILLS THAT FAILED

HB 461: Sexual Abuse and Assault Awareness and Prevention Program – Human and Sex Trafficking

MNADV POSITION: Support with Amendments

SPONSORS: Delegate S. Johnson

SUMMARY: Required certain schools including public schools to develop and implement a program of age-appropriate education on the awareness and prevention of sexual abuse and assault that includes, for students in grades 6 through 8, material promoting the awareness and prevention of human and sex trafficking.

NOTES: This bill passed the House but did not receive a vote in the Senate Education, Energy and the Environment Committee.

HB 861/SB 788: Victim Compensation – Alterations

MNADV POSITION: Support

SPONSORS: Delegate Smith and Senator Hettleman

SUMMARY: Removed eligibility requirements such as reporting the crime to law enforcement within 48 hours, fully cooperating with law enforcement, and a determination that an individual did not contribute to their own victimization. Clarified and expanded which relatives are eligible to receive compensation and what types of expenses are eligible for reimbursement. Streamlined the claims process, enhanced program reporting requirements, and removed reliance on criminal justice fines and fees to fund victim compensation.

SB 40: Public Information Act – Inspection of Records From Body-Worn Digital Recording Devices

MNADV POSITION: Support

SPONSORS: Senator Sydnor

SUMMARY: Limits the viewing and release of body-worn camera footage in limited circumstances including those of domestic violence and sexual assault. Does not impact the availability and use of body-worn camera footage as evidence in civil and criminal proceedings. Requires victim notification for all requests to view the body-worn camera footage.

NOTES: This bill passed the Senate unanimously. It did not receive a vote in the House Judiciary Committee.

SB 754: Maryland Wiretap and Electronic Surveillance Reform Workgroup

MNADV POSITION: Support with Amendments

SPONSORS: Senator Folden

SUMMARY: Creates the Maryland Wiretap and Electronic Surveillance Reform Work Group to study the effectiveness of Maryland's wiretapping and electronic surveillance laws and report its findings and recommendations regarding revisions to Maryland's wiretapping and electronic surveillance laws.

SB 949: Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation

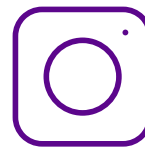
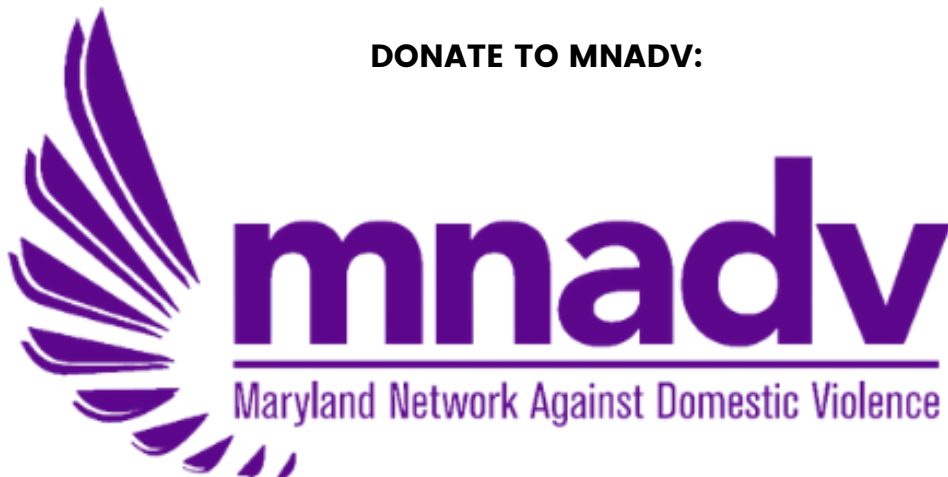
MNADV POSITION: Support

SPONSORS: Senator Folden

SUMMARY: Requires that non-fatal strangulation forensic examination expenses be paid for through the Criminal Injuries Compensation Board.



DONATE TO MNADV:



ADDRESS:

1997 ANNAPOLIS EXCHANGE PARKWAY, SUITE 300 ANNAPOLIS, MD 21401

MNADV OFFICE: 301-429-3601

EMAIL: INFO@MNADV.ORG