



Maryland Legislative Agenda for Women

Presentation of Legislative Proposals for the 2018 Legislative Agenda

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Family Life and Human Sexuality Curriculum, Consent

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Increasing Maryland's Competitiveness through Gender Diversity in Board Rooms (Joint Resolution)

Patricia Lambert, Executive Alliance

The Maryland Cares for Kids Act

Tam Lynne Kelley, Maryland Hunger Solutions

Gender Equity in Auto Insurance

Marceline White, Maryland Consumer Rights Coalition

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Rape Survivor Family Protection Act (Akin's Law)

Bill Number: TBD

One sentence synopsis of the bill: A bill to terminate the parental rights of rapists when a child is conceived as a result of rape.

Committee(s) bill is assigned to: House Judiciary/Senate Judicial Proceedings Committee

Lead Legislative Sponsor(s): Delegate Kathleen Dumais; Senators Brian Feldman & Susan Lee

Lead Sponsor(s) Phone Number: _____

Lead Group: Maryland Coalition Against Sexual Assault

Lead Group Contact: Lisae C. Jordan, Esquire

Lead Group Contact Phone and Email: 443-995-5544

Describe the problem and how it relates to women:

Sexual assault continues to disproportionately impact women. Any estimate of the incidence of sexual assault is just that – an estimate – rape, child sexual abuse, and other sexual offenses continues to be one of the most underreported crimes in America. However, we do know that one out of every 8 adult women, or about 260,000 adult women in Maryland, has been the victim of forcible rape sometime in her lifetime. Ruggiero, K.J. & Kilpatrick, D. G. (2003), Rape in Maryland: A Report to the State. Charleston, SC: National Violence Against Women Prevention Research Center, Medical University of South Carolina.

Describe your proposed solution and how it will benefit women:

The Rape Survivor Family Protection Act is important legislation sends the message that we support the women who make the difficult choice to have a child that was conceived through rape.

5% of rape victims of reproductive age (age 12-45) became pregnant as a result of rape, with the majority of pregnancies in adolescents.

There are now 24 states that have statutes permitting termination of parental rights of rapists based on clear and convincing evidence. The Rape Survivor Child Custody Act passed Congress, was signed by President Obama and became law. This gives states financial incentives to pass laws like the RSFPA. This legislation has the support of pro-life and pro-choice advocates, women's group

Provide a summary of your proposed legislation:

The Rape Survivor Family Protection Act would give rape victims a process to terminate parental rights of rapists when a child is conceived as result of rape. Victims would be required to meet a clear and convincing standard of evidence. This is the same standard used for other termination of parental rights cases – no higher, no lower.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Education - Family Life and Human Sexuality Curriculum - Consent

Bill Number: TBD

One sentence synopsis of the bill: This legislation would provide that age-appropriate consent instruction be part of the Family Life and Human Sexuality Curriculum in Maryland State Public Schools.

Committee(s) bill is assigned to: Ways and Means

Lead Legislative Sponsor(s): Delegate Ariana Kelly

Lead Sponsor(s) Phone Number: 240-338-0591

Lead Group: MD Coalition Against Sexual Assault

Lead Group Contact: Lisae Jordan

Lead Group Contact Phone and Email: 443-995-5544, lisae.jordan@gmail.com

Describe the problem and how it relates to women:

Maryland has done a tremendous amount of work to provide health care for victims, conduct investigations, and prosecute rape cases. But we are missing a critical opportunity to prevent these assaults before they occur. Many colleges have worked to address this issue on their campuses, however, college should not be the first time students are getting education on the importance of consent. A 2011 AAUW study found that 58% of girls in the 7th to 12th grades are sexually harassed in school and 13% of girls in 7th to 12th grades are touched in unwelcome sexual ways in school. According to a 2008 CCASA study, 53% of high school girls are sexually assaulted by a peer and 39% of these sexual assaults took place at school. A 2011 CDC survey found that 11.8% of girls and 4.5% of boys from grades 9-12 reported that they were forced to have sexual intercourse at some time in their lives. According to the CDC's National Intimate Partner and Sexual Violence Survey, 42% of female rape victims are first raped before the age of 18.

Describe your proposed solution and how it will benefit women:

This legislation establishes a broad requirement for including consent education in existing sexuality education curricula. It elevates teaching consent and makes it equal to the other requirements that already exist at the state level. The state already requires that our schools teach sex education, including lessons on STI prevention, pregnancy prevention and HIV/

AIDS. Consent education in our schools ensures students learn not to harass or assault their peers, and to treat each other with respect. It empowers students to speak out when they are uncomfortable; instills a culture of respect of courtesy, shows students they have control of their own body, and inspires mutual respect for other student's bodies and boundaries.

Provide a summary of your proposed legislation:

This legislation will provide that age appropriate consent instruction developed by community stakeholders at the local level be part of Maryland's Family Life and Human Sexuality Curriculum in the corresponding grades in Maryland State Public Schools. "Consent" means unambiguous and voluntary agreement. This legislation ensures Maryland is a leader in prevent sexual assault and harassment in our public schools, and later in life.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: The Repeat Sexual Predator Prevention Act

Bill Number: TBD (2017: SB316,HB369)

One sentence synopsis of the bill: Provides prosecutors statewide with legal tool to introduce evidence to rebut false consent defenses or allegations that a child victim is lying, improving the likelihood of convicting a repeat sexual predator before that predator is able to victimize more individuals (similar provision exists in federal court and 37 other states).

Committee(s) bill is assigned to: Judiciary; Judicial Proceedings

Lead Legislative Sponsor(s): TBD

Lead Sponsor(s) Phone Number: TBD

Lead Group: Office of the State's Attorney for Baltimore City

Lead Group Contact: Lisa Smith, Director of Policy & Legislative Affairs

Lead Group Contact Phone and Email: (443)984-6005 lsmith@stattorney.org

Describe the problem and how it relates to women:

According to the CDC, 1 in 5 women will be raped in their lifetime. Only 6 out of every 1,000 rapists end up in prison. Out of every 1,000 rapes: 334 are reported to law enforcement, 57 reports lead to arrest, 11 get referred to prosecutors, and 7 will lead to a felony conviction. Only SIX of those 1,000 rapists will be incarcerated. In the US, robbers are 3x more likely to end up in prison than rapists, and individuals who commit assault or battery are 5 times more likely to be incarcerated. Yet rapes disproportionately affect women; 9 out of every 10 rape victims are women. When victims do report their rape or molestation, the laws are stacked against them. Today in Maryland, serial predators are able to hide other instances of rape and child molestation from juries. A defendant's other predatory sex acts against other victims are NOT admitted as evidence during a trial, even if a clear pattern can be established. If the defendant has a history of rape and sexual assault, including if that defendant has been CONVICTED of said crimes, the jury never knows. 37 other states and the federal court ALL ALLOW this evidence after proper judicial review.

Describe your proposed solution and how it will benefit women:

The more rapists held accountable, the safer women in Maryland will be. Sex offenders are likely to recidivate and NOT LIKELY to be removed from the community before raping or molesting other victims. In a study of 120 men who admitted to committing a sexual assault, forensic psychologist David Lisak found a high rate of repeat sexual offenses; these men averaged FIVE victims per offender. Right now in Maryland, if the defendant has a history of rape and sexual assault, including CONVICTIONS, the jury will never know it. If the defendant is a registered sex offender, or if other victims are willing to testify and share their story of being sexually assaulted or molested by the defendant, the jury will never know it. The MD Judiciary allows the State to introduce evidence of sexual misconduct against the same victim, but, in the Hurst case, the Court specifically stated that the Legislature would have to take action to allow evidence of a defendant's crimes against DIFFERENT victims. The Repeat Sexual Predator Prevention Act closes these loopholes by permitting the judge to admit evidence of other acts, without risking wrongful convictions. This legislation requires a judge to review the evidence and rule on its applicability BEFORE it can ever be used in trial.

Provide a summary of your proposed legislation:

Maryland law strictly limits introduction of evidence of other sex crimes in sex assault and child molestation trials, making it extremely difficult to rebut false consent defenses or allegations that a child victim is lying. This legislation will enable prosecutors to introduce evidence of a defendant's sex crimes and allegations of sex crimes against different victims, in addition to introducing this type of evidence in cases with the same victim (as established by the MD Judiciary). This legislation requires a thorough judicial review before the evidence can be used. The State must file a motion to introduce the evidence at least 90 days before trial. The Court must hold a closed door hearing to determine the admissibility of the evidence allowing the defense to challenge evidence's admissibility. The Court must find that the evidence meets clear and convincing evidence standard. The Court may also consider factors related to similarities between evidence the State wishes to admit and the trial offense.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Final Permanent Protective Order

Bill Number: TBD

One sentence synopsis of the bill: This bill will expand the opportunity for victims of domestic violence to obtain a final permanent protective order by eliminating certain onerous restrictions under the current law.

Committee(s) bill is assigned to: House Judiciary and Senate Judicial Proceedings

Lead Legislative Sponsor(s): TBD

Lead Sponsor(s) Phone Number: TBD

Lead Group: Maryland Network Against Domestic Violence

Lead Group Contact: Inga James, President and Cynthia Lifson, Legislative Counsel

Lead Group Contact Phone and Email: 410-531-1519 and cynthia@lifsonlaw.com

Describe the problem and how it relates to women:

One in four women reports having been a victim of intimate partner violence. In Maryland, those dealing with domestic violence may consider petitioning the courts for relief through a civil protective order. As a general matter, civil orders of protection in domestic violence cases are intended to enable persons eligible for relief to have sufficient time to re-group and re-organize their lives free from family violence. With certain exceptions, current law allows for the entry of a final protective order which expires after one year from the date the order is entered. Current law also recognizes that in certain situations, it is necessary to keep the person eligible for relief and the respondent – the subject of the final protective order – permanently separate and apart. Current law allows for the entry of a final permanent protective order. The relief available under current law is very basic, including an order for the respondent to permanently refrain from abusing or threatening to abuse the person eligible for relief and an order for the respondent to refrain from contacting, attempting to contact or harassing the person eligible for relief.

Describe your proposed solution and how it will benefit women:

This bill modifies and simplifies the final permanent protective order statute. By changing the language of Maryland's final permanent protective order statute so that more persons eligible for relief may petition the court for a final permanent protective order, a greater number of victims of domestic violence can receive the benefits associated with a permanent final protective order – particularly the benefit of prompt police intervention if victims are approached by respondents.

Provide a summary of your proposed legislation:

Current law requires that to obtain a final permanent protective order, the respondent must be convicted of certain crimes listed in the statute, sentenced to serve a term of imprisonment for at least 5 years that led to the issuance of the final protective order, and served at least 12 months of the sentence. The proposed legislation deletes the list of crimes for which the respondent must be convicted, sentenced and serve at least one year of the sentence and replaces the list of crimes with the words "any crime." With this modification, a victim will not be limited to the specific crimes listed in the current law, but will be able to petition for a final permanent protective order if the respondent has been convicted of any crime where the person eligible for relief has been the victim of a crime committed by the respondent.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Criminal Violation of Conditions of Release

Bill Number: TBD

One sentence synopsis of the bill: This bill will create a new misdemeanor which upon conviction may subject the offender to a maximum imprisonment of ninety days. The purpose of this bill is to prevent criminal defendants who have been charged either with a crime of violence under Section 5-101 of the Public Safety Article or a crime against a victim who is a person eligible for relief as defined in Section 4-501 of the Family Law Article from directly or indirectly contacting, harassing, abusing, or going near the alleged victim's residence or place of employment.

Committee(s) bill is assigned to: House Judiciary and Senate Judicial Proceedings

Lead Legislative Sponsor(s): TBD

Lead Sponsor(s) Phone Number: TBD

Lead Group: Maryland Network Against Domestic Violence and House of Ruth Maryland

Lead Group Contact: Cynthia Lifson, MNADV and Dorothy Lennig, House of Ruth Maryland

Lead Group Contact Phone and Email: 410/531-1519, cynthia@lifsonlaw.com and 410/554-8460 and dlennig@hruthmd.org

Describe the problem and how it relates to women:

One in four women reports having been a victim of severe physical violence by an intimate partner. To preserve the safety of a victim of intimate partner violence, it is sensible to maintain a separation between the victim and the abuser. In the criminal justice system, this is frequently accomplished when courts attach specific conditions of release that require the criminal defendant to stay away from the victim. Although a no contact condition is contained in a pre-trial court order, it is not unusual for a criminal defendant to violate such an order and put the victim of the crime in serious discomfort or potential danger of further injury or even death. Under current Maryland law, if a defendant violates a condition of pre-trial release, the remedy is for the state's attorney to revoke the release conditions. This is a cumbersome procedure and occurs during regular court hours and does not happen at night or over the weekend. By making violation of release conditions a separate crime, law enforcement may be able to arrest a defendant for violating his/her conditions of release, including no contact with the victim.

Describe your proposed solution and how it will benefit women:

This bill expands the current law to create a new crime related to the violation of pre-trial no contact orders that are issued by courts in the criminal justice system. Currently, violation of such no contact orders applies only to cases where the victims are minors. This bill expands the current law to cover adults as well. The new law would clarify and enforce the order to a defendant that he can have no contact with the victim when he is released pre-trial. The time that parties separate is one of the most dangerous times for a victim of domestic violence. This includes when an abuser is arrested for a domestically related crime. If the abuser is released pre-trial, he often returns to the home or threatens the victim. This new crime would make these actions a separate crime, allowing law enforcement to arrest the abuser promptly and preserve safety in the community.

Provide a summary of your proposed legislation:

The proposed legislation adds language to Section 5-213.1 of the Criminal Law Article. It expands to cover not just minors, but to those who are victims and defined as persons eligible for relief under the Family Law Article and to those who are victims of Crimes of Violence as defined in Section 5-101 of the Public Safety Article. The proposal limits the violation to conditions of release associated with direct or indirect contact of the victim, harassing the victim, abusing the victim, or going to the victim's residence or place of employment. Violation of this crime may subject the offender to imprisonment of up to 90 days.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Domestic Violence – Education and Definition of Abuse

Bill Number: HB 803

One sentence synopsis of the bill: This bill expands the definition of "abuse" as it applies to petitions for domestic violence protective orders to include "harassment" and the "malicious destruction of property."

Committee(s) bill is assigned to: Judiciary

Lead Legislative Sponsor(s): Delegate Angela Angel

Lead Sponsor(s) Phone Number: 240-718-8683

Lead Group: Prince George's County Family Crisis Center

Lead Group Contact: Sophie Ford

Lead Group Contact Phone and Email: (301) 779-2100; sford@familycrisiscenter-pgco.org

Describe the problem and how it relates to women:

There are many forms of domestic violence that are currently unrecognized in the state of Maryland and leave many of its residents vulnerable in the cases of harassment and destruction of property. Presently, those experiencing constant harassment and malicious destruction of property are unable to obtain a Peace Order due to the limited scope of the definition of abuse.

Women generally experience the highest rates of partner violence compared to males. Without this bill women and children all throughout the state of Maryland will continue to go unprotected and vulnerable to the escalating violence of their abusers.

Describe your proposed solution and how it will benefit women:

Specifically, HB 803 will expand the definition of abuse to include written and electronic harassment while also expanding malicious destruction of property to include the act of defacing property. HB 1396 will also require the State Board of Education to encourage County Boards of Education to incorporate age-appropriate lessons on domestic violence so that students will have a better understanding of all forms of harassment that fall within the realm of domestic violence.

Provide a summary of your proposed legislation:

This bill expands the definition of "abuse" as it applies to petitions for domestic violence protective orders to include "harassment" and the "malicious destruction of property." The bill also requires the State Board of Education to encourage the county boards to incorporate age-appropriate lessons on domestic violence into the health education curriculum.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Hate Crimes - Civil Remedy

Bill Number: HB 540 (Delegate Kramer) / SB 947 (Senator Smith)

One sentence synopsis of the bill: _____

The bill's purpose is to create a state law that allows victims of hate crimes to file civil suits seeking monetary damages.

Committee(s) bill is assigned to: House Judiciary, Senate Judicial Proceedings

Lead Legislative Sponsor(s): Delegate Kramer, et al.

Lead Sponsor(s) Phone Number: (410) 841-3485, (301) 858-3485 1-800-492-7122, ext. 3485 (toll free)

Lead Group: The Anti-Defamation League

Lead Group Contact: Melanie Kahn

Lead Group Contact Phone and Email: 202-740-8063 (cell), mkahn@adl.org

Describe the problem and how it relates to women:

Maryland's hate crime statute targets crimes motivated by a victim's race, color, religious beliefs, sexual orientation, gender, disability, national origin or homelessness. It is one of the toughest criminal hate crime laws in the country. However, this statute fails to compensate victims for the monetary damages that can result from being a victim of a hate crime. Damages can include; lost wages due to taking time off work, costs of medical care (including mental healthcare), childcare costs, costs of repairing damaged property and/or personal property, transportation costs, etc.

Describe your proposed solution and how it will benefit women:

The bill will allow all victims of hate crimes, including women to file civil lawsuits against the person or persons who committed the violation and authorizes a court to award a variety of specified remedies including; (1) economic damages and any other pecuniary loss sustained by the plaintiff that was proximately caused by the hate crimes violation; (2) noneconomic damages, including pain and suffering, emotional distress, mental anguish, loss of enjoyment, loss of companionship, services, and consortium, and other nonpecuniary loss sustained by the plaintiff that was proximately caused by the hate crimes violation; (3) punitive damages; and (4) reasonable attorney's fees to the prevailing party.

Provide a summary of your proposed legislation:

Bill Summary: The court may issue an injunction to prevent or restrain a violation of the State's hate crime laws and award the following: (1) economic damages and any other pecuniary loss sustained by the plaintiff that was proximately caused by the hate crimes violation; (2) noneconomic damages, including pain and suffering, emotional distress, mental anguish, loss of enjoyment, loss of companionship, services, and consortium, and other nonpecuniary loss sustained by the plaintiff that was proximately caused by the hate crimes violation; (3) punitive damages; and (4) reasonable attorney's fees to the prevailing party.

Background: According to the Judiciary, there were a total of 51 violations of the State's hate crime laws under Title 10, Subtitle 3 of the Criminal Law Article in the District Court during fiscal 2016. There were 22 violations of these prohibitions in the circuit courts during fiscal 2016. According to the Federal Bureau of Investigation's Uniform Crime Report for 2015 (the latest year for which statistics are available), 43 hate-based incidents were reported in Maryland.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Expansion of Maryland's "Vacating Convictions" Law for Survivors of Human Trafficking

Bill Number: TBD

One sentence synopsis of the bill: Expand's Maryland's "vacating convictions" law to explicitly include survivors of labor trafficking, as well as increases the number of convictions eligible for vacatur.

Committee(s) bill is assigned to: TBD

Lead Legislative Sponsor(s): Senator Susan Lee

Lead Sponsor(s) Phone Number: (301) 858-3124

Lead Group: The Human Trafficking Prevention Project at the University of Baltimore School of Law

Lead Group Contact: Jessica Emerson, LMSW, Esq.

Lead Group Contact Phone and Email: (410) 837-4566; jemerson@ubalt.edu

Describe the problem and how it relates to women:

Victims of human trafficking, a significant portion of whom are female-identified, are commonly forced to engage in criminal acts by their traffickers. Survivors who are criminalized for acts they were forced to commit by their trafficker often experience difficulties obtaining safe housing and gainful employment, which keeps them trapped in poverty and vulnerable to continued exploitation. At present, only a small subset of survivors are able to access relief under current Maryland law. Providing survivors with a comprehensive legal remedy designed to lessen the impact of these criminal convictions is essential to both their healing and their ability to successfully reintegrate into society.

Describe your proposed solution and how it will benefit women:

Although Maryland law already allows survivors of sex trafficking to vacate prostitution convictions stemming from their trafficking experience, these survivors are commonly forced to commit crimes other than prostitution. Under Maryland's current vacatur law, these convictions are ineligible for relief. Because Maryland's current law only allows for vacatur of prostitution convictions, the number of survivors able to access this form of legal relief is low, while the need for a more comprehensive form of relief remains high. The singular focus on prostitution convictions also means that criminalized survivors of labor trafficking are completely ineligible for relief. Survivors who are unable to access this form of relief continue to experience stigma as well as difficulties reintegrating back into society following their victimization. Criminalized survivors in Maryland deserve access to legal relief that reflects their lived experiences and that provides them access to the stability and independence they so desperately need.

Provide a summary of your proposed legislation:

Victims of human trafficking are commonly arrested and convicted for crimes they were forced to commit by their traffickers. In response to this injustice, Maryland became the second state in the country to pass a law allowing survivors of sex trafficking to vacate, or, set aside, their prostitution convictions. Since then, anti-trafficking advocates throughout the country have documented that survivors of trafficking are regularly charged with numerous offenses other than prostitution, and that labor trafficking survivors also experience criminalization tied to their victimization. In Maryland, however, access to this innovative form of legal relief remains limited only to survivors of sex trafficking who are convicted of prostitution. The proposed change in law will expand Maryland's current vacatur law to apply explicitly to survivors of labor trafficking, as well as expand the number of crimes eligible for vacatur. Without these changes, Maryland's vacatur law will continue to leave a large number of survivors without the legal relief they so desperately need to heal from the trauma of their exploitation and become productive members of their communities.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: To be determined - Health Care Services for Pregnant Inmates

Bill Number: To be determined

One sentence synopsis of the bill: Require all state, local, and private detention and corrections facilities to have written policies regarding healthcare services for adult and juvenile pregnant inmates and detainees, and 2) require all state, local, and private detention and corrections facilities to provide these written policies to all adult and juvenile inmates and detainees with positive pregnancy test results.

Committee(s) bill is assigned to: House Judiciary Committee

Lead Legislative Sponsor(s): Del. Kathleen Dumais

Lead Sponsor(s) Phone Number: 301-858-3052

Lead Group: NARAL Pro-Choice Maryland

Lead Group Contact: Diana Philip

Lead Group Contact Phone and Email: 301-565-4154, diana@prochoicemd.org

Describe the problem and how it relates to women:

Advocates have discovered that a majority of local corrections facilities do not have written policies for women's reproductive healthcare or for pregnant inmates. Furthermore, the state and all but one county do not inform pregnant inmates of the policies or standard of care for pregnant individuals at those facilities. This means that pregnant inmates do not know what to expect during their pregnancy, nor do they know their rights to care. As a result, most pregnant inmates are kept in the dark about their rights to required lab work, results of testing, abortion care access, timely prenatal care, proper miscarriage management, patient-centered labor and delivery, postpartum care, and know what to expect as an incarcerated parent. Policy research and concerted outreach initiatives by advocates who seek to address conditions of confinement are identifying that systems-involved individuals in Maryland are not in complete control of their reproductive futures and freedom.

Describe your proposed solution and how it will benefit women:

Reproductive Justice Inside (RJI) is a statewide coalition interested in learning how sexual and reproductive healthcare is experienced by systems-involved women and girls in Maryland. Through research, story-telling, and policy, RJI aims to address conditions of confinement in which systems-involved individuals are not in complete control of their reproductive futures and freedom. RJI was convened by the NARAL Pro-Choice Maryland Fund. RJI believes that written policies will lead to a higher standard of care and less confusion about what care an inmate should receive. RJI also believes that when inmates know their rights, they can advocate for themselves, hold institutions responsible for delivering proper healthcare, eliminate reproductive coercion, and have healthier pregnancy outcomes. RJI believes that this basic legislative measure has a very strong chance of passing on its first attempt and it will lead to building a foundation that will spur meaningful policy reform and more legislative advocacy in sessions to come.

Provide a summary of your proposed legislation:

1) That would require all state, local, and private detention and corrections facilities to have written policies regarding healthcare services for adult and juvenile pregnant inmates. The legislation would leave the authority to determine and write the policies up to the state, county, or private facility, but would require that the policies address specific subjects (this list is still in development and may change): pregnancy testing, pregnancy options counseling, prenatal care, prenatal testing and counseling, access to abortion care, miscarriage management, labor and delivery, and postpartum care. 2) Require all state, local, and private detention and corrections facilities to provide these written policies to all adult and juvenile inmates and detainees with positive pregnancy test results.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Discrimination in Employment - Conditions Related to Pregnancy or Childbirth

Bill Number: To be determined

One sentence synopsis of the bill: Make clarifications to Maryland's pregnancy accommodation law to ensure that pregnant and new mothers with a medical need for workplace accommodations due to normal pregnancy are in fact provided reasonable accommodations and prohibit employers from forcing them out on leave when they could be reasonably accommodated.-----

Committee(s) bill is assigned to: House Economic Matters

Lead Legislative Sponsor(s): Delegate Marice Morales

Lead Sponsor(s) Phone Number: 301-858-3528

Lead Group: NARAL Pro-Choice Maryland

Lead Group Contact: Diana Philip

Lead Group Contact Phone and Email: 301-565-4154, diana@prochoicemd.org

Describe the problem and how it relates to women:

While many women will work through their pregnancies without any need for accommodation, some women will need temporary adjustments to their job duties to continue working safely during pregnancy. However, when pregnant workers have asked for these temporary adjustments, too often employers have denied their requests. Instead of receiving simple accommodations that would allow them to continue working safely, many pregnant workers have been forced into unpaid leave or out of a job entirely. Losing a job or being forced onto unpaid leave can be calamitous for these workers and their growing families. In families with children, 41% of mothers are primary breadwinners. Women in low-wage jobs are particularly likely to seek and be denied pregnancy accommodations, given the physically demanding nature of many low-wage jobs and a culture of inflexibility in many low-wage workplaces. Income loss during pregnancy can impose particularly severe consequences on these families. No woman should have to choose between her job and a healthy pregnancy.

Describe your proposed solution and how it will benefit women:

This bill clarifies how employers can make reasonable accommodations to allow pregnant workers and new mothers the ability to continue employment without threat of being forced onto leave, fired, demoted, or denied advancement opportunities. Provisions include:

- Prohibiting an employer from requiring an employee to take paid or unpaid leave if other accommodations are available
- Prohibiting employers from requiring a pregnant employee to accept changes to her work when the pregnant employee does not need any modification to do her job.
- Requiring the Commission on Civil Rights to develop certain courses and conduct certain educational efforts

Provide a summary of your proposed legislation:

The bill clarifies that employers are required to give reasonable accommodations to all pregnant employees with a medical need for an accommodation, not just employees who need accommodations as a result of pregnancy complications, and it ensures that a pregnant employee won't be forced to take paid or unpaid leave when a reasonable accommodation would allow her to continue to work and support her family.

This bill was introduced for the first time last year as HB214. Based on feedback received during last session, we believe that this year's bill will serve as technical fix to Maryland law that will mirror the results of federal court cases which establish that pregnancy in itself is not a disability and deserves reasonable accommodations when requested by the employee for the full range of exempt and non-exempt workers.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Family Law-Age of Majority-Jurisdiction of Court

Bill Number: HB0955 (2017)- attached

One sentence synopsis of the bill:

The bill would allow the court to retain jurisdiction for child support until age 23 for those enrolled in a post-secondary college education or vocational training program

Committee(s) bill is assigned to: Judiciary Committee

Lead Legislative Sponsor(s): Delegate Terri Hill

Lead Sponsor(s) Phone Number: 410-841-3378

Lead Group: AAUW/ HoCo

Lead Group Contact: Beverlie Fallik, Joan Clinch

Lead Group Contact Phone and Email: Bev- 3012750535 Joan-443-995-8799

Describe the problem and how it relates to women:

Women comprise 80% of custodial parents and are disproportionately hurt by current law which terminates child support at age 18. It is estimated that 25-35% of college students (about 100,000 in MD) are estimated to be children of divorce (Parental Divorce and Undergraduate Student Success, 2013- U of MN). Currently, when the non-custodial parent does not wish to help their child after 18, mothers, already earning 79% of what men earn, often take second mortgages, equity and other loans, take on second jobs etc., in order to help their child with board, food, clothing and other necessities so that they can attend college or technical school. Indeed, According to "Secure Choice: Saving for Retirement in Maryland" (Sarah Mysiewicz Gill, AARP presentation at the MLAW conference 2016), "women need to accumulate more retirement assets than men because they often live longer, but have lower wages and less access to retirement plans...Additionally, many working women are approaching retirement carrying long-term and short-term debt, and without having planned for retirement." Thus, the ability to contribute to a retirement plan is significantly negatively affected when support for their child's college rests solely with the mother. This is further compounded by the fact that they have less disposable income with which to repay their own student loans. As a result, women hold nearly two-thirds of the outstanding student debt in the United States (AAUW Report "Deeper in Debt"2017). Thus, the current bias in child support law results in both short and long term devastating negative economic consequences for women.

Describe your proposed solution and how it will benefit women:

AAUW prioritizes "public policies that break through educational and economic barriers for women." (AAUW website). This bill addresses both obstacles. First – it aims to reduce economic hardships imposed on women by the unfair child support law which terminates support at eighteen, when post-secondary education costs begin. Continued child support for higher education is needed to better prepare young people in today's high-tech, complex work world. On average, high school graduates earn only about half that of college graduates annually. This is too big a burden to rest solely on the custodial parent (mother) who already is likely earning less. Secondly, we want our daughters to attain educational success. By extending child support to age 23, it is more likely that these young female children of divorce will be able to achieve it.

Provide a summary of your proposed legislation:

This bill would continue court jurisdiction for child support until the age of 23 for children enrolled full time in a post-secondary college or vocational education. It seeks to minimize the disadvantage of a broken home on children of divorce by giving the court authority to consider various factors, including but not limited to the financial ability of each parent and the likelihood that the parents would have continued support had the family stayed intact. Criteria for the court's consideration of support could include the 1) child's need for support; 2) availability of financial aid from other sources, including grants and loans; and 3) child's preparation and aptitude for and commitment to higher education.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Family Law - Same-Sex Couples - Marital Presumption and Expedited Second Parent Adoption

Bill Number: 8lr0702

One sentence synopsis of the bill: Clarifies the application of a marital presumption to same-sex couples where a woman conceives through artificial insemination, establishes an expedited procedure for the adoption of a child by the spouse of the child's biological parent, and requires both women's names to be included on the birth certificate of a child born to one of the women during the marriage

Committee(s) bill is assigned to: Judiciary/Judicial Proceedings

Lead Legislative Sponsor(s): Senator William C. Smith, Jr., Senator Cheryl Kagan

Lead Sponsor(s) Phone Number: 301-858-3634

Lead Group: Woman's Democratic Club of Montgomery County

Lead Group Contact: Fran Rothstein

Lead Group Contact Phone and Email: fran.rothstein@verizon.net 301-512-1145

Describe the problem and how it relates to women:

Since the passage of marriage equality, changes to family law have been necessary to address certain holes in the existing framework. For instance, under current MD statute, if two women are married and decide to use artificial insemination, the spouse of the child's biological mother is not added to the birth certificate of the child. Additionally, there is lack of clarity in the statute as to whether the marital presumption for parenthood of a child applies to the spouse of a woman who conceives through artificial insemination during their marriage. Since other states may lack any form of a marital presumption for same-sex couples with a child conceived during their marriage, these couples face a tough decision when considering to move to a different state and often are advised to undertake a costly and burdensome 2nd parent adoption.

Describe your proposed solution and how it will benefit women:

- Amends Section 1-206 of the Estates and Trusts Article to clarify the application of the marital presumption to same-sex couples – specifically in cases where a woman conceives through artificial insemination.
- Adds a new section 5-3B-27 to the Family Law Article. The new statute outlines an expedited procedure, modeled on California law, for the adoption of a child by the spouse of the child's biological parent (second parent adoption). The statute allows a petitioner in a second parent adoption to bypass existing investigation and hearing requirements if the adoption is consensual and the petitioner is married to the prospective adoptee's parent at the time of the prospective adoptee's birth. This expedited 2nd parent adoption could save same-sex women thousands of dollars and reduce the burden they currently face.
- Amends Section 4-208 of the Health-General Article to specify that, if a child's mother is married to another woman at the time of the child's birth, both women's names must be entered on the certificate of birth.

Provide a summary of your proposed legislation:

FOR the purpose of providing that a child conceived by artificial insemination of a married woman with the consent of her spouse is the legitimate child of both of them for all purposes; providing that the consent of the woman's spouse is presumed; establishing certain rules and procedures specific to an independent adoption by an individual who is the spouse of the prospective adoptee's parent at the time of the prospective adoptee's birth; requiring a certain petitioner to submit certain documentation in an adoption proceeding under this Act; prohibiting a court from requiring a certain investigation or hearing in ruling on a petition for adoption under this Act, except under certain circumstances; requiring a court to enter an order for adoption under this Act upon making certain findings; specifying that, if a child's mother is married to another woman at the time of the child's birth, both women's names shall be entered on the certificate of birth; making stylistic changes; and generally relating to adoptions and the parental rights of same-sex couples.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Salary History Information Disclosure

Bill Number: LR 8LR1035 (2017 HB398)

One sentence synopsis of the bill: Prevents employers from requiring past salary information as a condition for employment.

Committee(s) bill is assigned to: House - Economic Matters, Senate - Finance

Lead Legislative Sponsor(s): Karen Lewis Young - House, Susan Lee - Senate

Lead Sponsor(s) Phone Number: 301-682-7339

Lead Group: National Women's Law Center

Lead Group Contact: Andrea Johnson

Lead Group Contact Phone and Email: 202-319-3041

Describe the problem and how it relates to women:

Women and minorities are typically isolated in lower paying professions. Therefore, basing salary offers on past employment continues a discriminatory cycle. Also, past employment pay have no relevancy to the current position. Salary offers should be based on current position requirements as well as the skills and experience of the candidate. Prior positions are frequently not comparable.

Describe your proposed solution and how it will benefit women:

Salary offers should be based on current responsibilities as well as the skills and qualifications of the candidate. This will put women on a more equal playing field.

Provide a summary of your proposed legislation:

FOR the purpose of prohibiting certain employers from seeking salary history information by certain methods for an employee, and screening an applicant for employment based on the applicant ' s salary history by taking certain actions, prohibiting an employer from violating a certain provision of law; specifying that an employer is not subject to a certain criminal penalty for a violation of certain provisions of this Act; requiring the Commissioner of Labor and Industry to issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain penalty not exceeding a certain amount under certain circumstances; and requiring the Commissioner to consider certain factors when determining the amount of a certain penalty.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Job-Protected Leave - 15-49 Employees

Bill Number: TBD

One sentence synopsis of the bill: This legislation expands Maryland's job-protected parental leave law (a 2014 MLAW priority) to include up to six weeks of job-protected unpaid leave for a health condition or for caregiving for a family member with a health condition.

Committee(s) bill is assigned to: Economic Matters

Lead Legislative Sponsor(s): Delegate Ariana Kelly

Lead Sponsor(s) Phone Number: 240-338-0591

Lead Group: Cindy Carter

Lead Group Contact: Cancer Support Foundation

Lead Group Contact Phone and Email: 410-964-9563, cpcarter@aol.com

Describe the problem and how it relates to women:

46% of Maryland's private sector workforce works for companies with fewer than 50 employees. These businesses are exempt from the Federal Family and Medical Leave Act (FMLA). That means 46% of Maryland employees have no legal right to job security when facing their own serious health condition or caregiving for a close family member with a serious health condition. Maryland families deserve time off without fear of losing their job when they must face some of life's most difficult challenges. Job protected leave is especially important for senior citizens and their caregivers, people impacted by serious illnesses, people with disabilities, and military families. An AARP survey found that nearly 62% of workers aged 45 to 74 provide care for a spouse or partner, parent, other adult relative, or a friend and an estimated 17% of workers aged 45 to 74 have taken leave from a job in the past 5 years to care for an adult family member. Family caregivers can face long-term economic consequences. Working women who are also caregivers are 2.5 times more likely to live out their final years in poverty. Additionally, the majority of caregivers are women.

Describe your proposed solution and how it will benefit women:

Expanding Delegate Kelly's 2014 legislation (HB1026) which provided job security during the birth of a child for small business employees, this 2018 bill will provide job security for the additional categories covered by the Federal Family & Medical Leave Act (FMLA). Specifically, this would apply to employees who must take short term leave to care of a family member with a serious health condition, the employee's own serious health condition, or a family member's military deployment. Job protection already exists under Federal law for these employees in companies with more than 50 employees, this would expand job protection to include employees in smaller businesses. While the own health coverage in this proposal covers men and women equally, the caregiver leave provision disproportionately benefits women who are significantly more likely to be caring for their relatives during illnesses and disabled or sick children. Additionally, women live longer and as such depend more on family caregiving than men during their elderly years.

Provide a summary of your proposed legislation:

This legislation will require firms with 15-49 employees to provide six weeks of job protected unpaid leave for qualifying employees. For employees needing leave for their serious illness or a family member's serious illness, or a military deployment, they will receive 6 weeks of unpaid leave and maintain existing health benefits. Upon returning from their leave, their employer must restore them to the same position or an equivalent position.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Expanding Maryland's Child and Dependent Care Tax Credit

Bill Number: TBD

One sentence synopsis of the bill: This legislation will raise the income limit for those eligible to claim Dependent Care Tax Credit from \$50,000 to \$100,000 per individual and \$150,000 per couple.

Committee(s) bill is assigned to: Economic Matters

Lead Legislative Sponsor(s): Delegate Ariana Kelly & Senator Nancy King

Lead Sponsor(s) Phone Number: 240-338-0591

Lead Group: Maryland Family Network

Lead Group Contact: Clinton Macsherry

Lead Group Contact Phone and Email: 443-873-5810, cmacsherry@marylandfamilynetwork.org

Describe the problem and how it relates to women:

In 1950, 33% of all women were in the workforce. Today, nearly 80% of women in the workforce, and 57% of mothers of newborn children are in the workforce. Families are dependent on working women. According to the Maryland Center on Economic Policy, Maryland's child care costs are the fifth highest in the country, with families paying nearly \$14,000 per year in daycare costs, sometimes much more (up to \$24,000 annually) for infant care. Maryland has an existing state tax credit to help offset the extraordinarily high cost of child care, however it caps the income threshold to qualify for this credit at levels set nearly thirty years ago. As a result, the number of taxpayers able to claim the state child and dependent care tax credit and the aggregate cost of the credit have diminished over time. The number of claimants peaked in 2004 at 40,546. In 2014, only 24,336 taxpayers were able to claim the credit. Adjusted for inflation, annual credit costs peaked at \$9.4 million in 2003, dropping to \$3.6 million by 2014.

Describe your proposed solution and how it will benefit women:

The current maximum income threshold to be eligible for the child and dependent care tax credit is federal adjusted gross income (FAGI) of \$50,000 (\$25,000 for a married individual filing a separate return); this maximum threshold is fixed and not adjusted for inflation. This legislation seeks to expand the tax credit to more taxpayers by increasing the income eligibility phaseout range so that the phaseout begins at a higher income level more inclusive of Maryland's working and middle class families. Promoting affordable child care will boost Maryland's economy, close the wage gap, and decrease the burden on working mothers and families.

Provide a summary of your proposed legislation:

This bill will raise the income limit on the Child and Dependent Care Tax Credit. As of now, families earning over \$50,000 a year, are ineligible for the credit. In other words, most of Maryland's middle class families get no state childcare tax credit at all. This bill will increase the limit to \$100,000 per individual and \$150,000 per two income couple. These thresholds are consistent with Maryland's existing tax brackets. This will help more families pay for costly childcare and adult dependent care expenses.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Women on Corporate Boards

Bill Number: Senate Joint Resolution

One sentence synopsis of the bill: The Maryland General Assembly acknowledges the bulk of evidence proves that companies perform better when women hold positions on the board of directors and in management and thus encourage Maryland companies, over the next 3 years, to meet a minimum goal of women on their board of directors.

Committee(s) bill is assigned to: _____

Lead Legislative Sponsor(s): Senator Ronald Young

Lead Sponsor(s) Phone Number: 301-662-8520

Lead Group: _____

Lead Group Contact: _____

Lead Group Contact Phone and Email: _____

Describe the problem and how it relates to women:

The 2016 Census of Women Board of Directors in Maryland, by the non-profit Network 2000, found that Maryland is behind the national average for women on Board of Directors with women sitting on only 14% of the available Board positions in Maryland compared to 20.1% nationally, and that 30% Maryland companies have no women on their board versus 5% nationally. The bulk of research in Maryland, the United States and internationally shows that companies with women on their boards and in key leadership roles, ideally at 3 or more women, outperform companies with no women in these positions. In fact, companies with women in board and management positions did significantly better in stock performance, firm value, and debt levels since the financial crisis of 2008. Thus, by including more women on corporate boards and in management positions Maryland's economic health is improved and strengthened.

Describe your proposed solution and how it will benefit women:

Resolution of the Senate and House would publicly announce that the Maryland General Assembly acknowledges that the body of evidence to date demonstrates that companies perform better when their board and executive leadership include women. The bill encourages businesses while adding additional evidence that gender equality is good for business and for the health of Maryland's economy. A healthier economy is good for women employment, advancement of women in business, and moving towards closing the pay gap.

Provide a summary of your proposed legislation:

The Resolution highlights studies done in Maryland, the United States, and Internationally that demonstrate the positive impact of women in board of director and management positions on the financial health and stability of companies. Based on this evidence the General Assembly would agree that by encouraging equitable and diverse gender representation on corporate boards the State of Maryland establishes a policy which protects publicly traded companies stakeholders, financial stability, and performance.

Specifically, the Resolution asks publicly held companies in Maryland, over the next 3 years, to include more women on their boards of directors with the minimum goal of 3 women on the board of companies with 9 or more board seats, 2 women of boards with 5 to 8 seats, and 1 woman on boards with less than 5 board of director seats.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

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2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Increasing Maryland's Competitiveness through Gender Diversity in Board Rooms

Bill Number: Joint Resolution

One sentence synopsis of the bill: We are urging the Maryland General Assembly to set, as an aspirational goal (and not as a mandate), that women hold 30 percent of the board of director seats in Maryland by 2020.

Committee(s) bill is assigned to: _____

Lead Legislative Sponsor(s): Senator Katherine Klausmeier

Lead Sponsor(s) Phone Number: 410-256-1353/410-841-3620

Lead Group: Executive Alliance

Lead Group Contact: Patricia Lambert, Esq.

Lead Group Contact Phone and Email: plambert@pklaw.com/ 410-339-6759

Describe the problem and how it relates to women:

Despite the gains that women have recently made economically, women are under-represented on corporate boards. Recent data shows that 30.3% of Maryland companies have no women directors, which is much higher than the national average of 5%. Women hold only 14.4% of the board seats in the state. Executive Alliance believes that the number of women on boards will remain stagnant without a legislative push.

Our pitch to the legislature is that research shows that gender diversity is good business and results in higher sales, greater corporate morale, and better return on investment for stakeholders. In addition, there is a growing recognition that boardrooms should reflect the broad diversity of society at large as well as companies own employees, shareholders and customers. Five states have passed resolutions: California, Colorado, Illinois, Massachusetts, Ohio and Pennsylvania. The states where legislatures have passed Women on Board resolutions, the number of women holding board seats has increased.

Describe your proposed solution and how it will benefit women:

A resolution will encourage companies to appoint women to their boards. The Catalyst Research Center for Equity in Business Leadership report entitled, "Women on Corporate Boards Globally," found that companies with more women on boards had better financial results, on average, than other companies. Companies with sustained high representation of women board directors, defined as having three or more women board directors in at least four of five years, significantly outperformed those with sustained low representation by 84% on return on sales, 60% on return on invested capital, and 46% on return on equity. Catalyst found a clear and positive correlation between the percentage of women board directors in the past and the percentage of women corporate officers in the future. Catalyst had found that three or more women serving on a board "changes boardroom dynamics substantially," "enhances the likelihood that women's voices and ideas are heard" and creates a "critical mass" of women which can lead to better financial performance.

Provide a summary of your proposed legislation:

We are asking that the Senate and the House of Representatives find that the State of Maryland has a significant stake in promoting equitable and diverse gender representation in the public, private and nonprofit leadership ranks of Maryland companies, institutions and State and Local government. The state would urge all nonprofit, privately held and publicly traded institutions and companies doing business in the State of Maryland to undertake a commitment to increase the gender diversity on their boards of directors. We are asking the state set as an aspirational goal, which will be measured, that by December 31, 2020, all nonprofit, privately held and publicly traded institutions and companies doing business in the State of Maryland have a minimum of 30% of women directors.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: The Maryland Cares for Kids Act

Bill Number: In 2017, the bill numbers were SB 360 and HB 288

One sentence synopsis of the bill: Support children in families struggling to get by on low wages by removing school meal fees for 45,632 low-income students in Maryland.

Committee(s) bill is assigned to: Senate Budget and Taxation; House Ways and Means

Lead Legislative Sponsor(s): Senator Madaleno

Lead Sponsor(s) Phone Number: 410-841-3137

Lead Group: Maryland Hunger Solutions

Lead Group Contact: Tam Lynne Kelley

Lead Group Contact Phone and Email: 410-528-0021 x6029 tikelley@mdhungersolutions.org

Describe the problem and how it relates to women:

Food insecurity is the lack of reliable access to healthy food - a condition which affects 12% of all U.S. households. Women are disproportionately impacted by food insecurity and the correlated negative health outcomes, which include diabetes and osteoporosis. In fact, a disturbing 32% of households with children that are headed by a single woman are food insecure. (Source: Household Food Security in the U.S. <https://www.ers.usda.gov/webdocs/publications/84973/err-237.pdf?v=42979>) The school breakfast and lunch programs reduce food insecurity, improve health, and support learning. While free school meals provide a critical support to low income families, a single parent with one child who earns just \$22,000 a year does not qualify for free meals. This family meets the federal income guidelines for reduced-price school meals and therefore must pay co-pays, yet they are likely struggling to make ends meet, especially considering the high cost of living in our state.

Describe your proposed solution and how it will benefit women:

Many low-income students can't participate in the school meal programs because their household income is too high to qualify for free meals, yet too low to afford the reduced-price school meal co-pays. As a result, reduced-price eligible students are more likely to incur cafeteria debts and to go without the food they need. In fact, these students are 26% less likely to eat school meals, compared to students that qualify for free school meals. The Maryland Cares for Kids Act uses state funding to cover the reduced-price meal fees so that all low income students can have access to free school breakfast and lunch.

Provide a summary of your proposed legislation:

While many interventions target high-poverty schools, The Maryland Cares for Kids Act directly targets the children who are most in need, regardless of which school they attend. Approximately \$3.3 million annually in state funding will provide more than 45,000 low-income students with access to school meals at no cost to the student or family. Eliminating reduced-price meal fees is a proven intervention that will decrease food insecurity and poverty for families all across the state.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.

2017 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Gender Equity in Auto Insurance (a working title)

Bill Number: Not available yet.

One sentence synopsis of the bill: This bill removes gender discrimination in auto insurance rates by prohibiting the use of sex and marital status as factors that companies can use to set rates.

Committee(s) bill is assigned to: Senate Finance, House Economic Matters

Lead Legislative Sponsor(s): Senator Kagan, Senator Benson and Delegate Sydnor

Lead Sponsor(s) Phone Number: Sen. Kagan (410-841-3169), Del. Sydnor (301-858-3802)

Lead Group: Maryland Consumer Rights Coalition

Lead Group Contact: Marceline White, Executive Director

Lead Group Contact Phone and Email: 410-624-8980, marceline@marylandconsumers.org

Describe the problem and how it relates to women:

Auto insurance in Maryland is incredibly expensive – and disproportionately so for female drivers. The primary reason for this phenomenon is that auto insurance companies are currently allowed to use a slew of non-driving related factors – including sex, marital status, credit score, ZIP code, education, occupation, homeownership, etc. – to price their products.

A driver's sex in Maryland is a very heavily weighted factor. According to research conducted by the Maryland Consumer Rights Coalition insurance companies charge female drivers more – just for being female, and regardless of their driving record (www.marylandconsumers.org). In fact, sex is the most heavily weighted non-driving related factor – one insurance company raise prices by 39% when the driver goes from being a man to a woman. MCRC's research dovetails with national research by the Consumer Federation of America which found that in ten cities in 38 instances, women with perfect driving records were charged at

Describe your proposed solution and how it will benefit women:

The bill in question will prohibit the use sex and marital status in setting auto insurance rates in Maryland. .

Removing these factors will eliminate a fundamentally unfair policy and will save many women drivers hundreds of dollars each year. Last year, MCRC worked with legislators to remove a 'widow's penalty' in which women who lost a spouse saw their car insurance increase by 24% while men who lost a spouse saw their insurance decrease. The elimination of the use of this factor will save widowed women \$435, on average, per year.

Provide a summary of your proposed legislation:

This legislation will prohibit auto insurance companies in Maryland from using a driver's sex and marital status in consideration when determining how much said driver should pay for their car insurance.

A different bill, SB 534/HB916, sought to remove all non-driving related factors from pricing auto insurance. That bill, sponsored by Sen. Benson and Del. Sydnor, as amended, eliminated the "widow's penalty" in auto insurance. Building on last year's success, this year's bill will focus on removing sex and marital status entirely from pricing insurance.

If the bill was introduced in a prior year, please include a copy of last year's bill with this form.