



Maryland Legislative Agenda for Women

Celebrating 24 Years: 1994-2018

2018 MLAW Legislative Agenda – Final Report

HB 1/SB 2 • Family Law - Child Conceived Without Consent - Termination of Parental Rights (Rape Survivor Family Protection Act)

Primary Sponsors: Delegate Kathleen Dumais, Senator Brian Feldman

This legislation creates a legal process for rape victims to terminate the parental rights of rapists when a child is conceived as result of rape. Victims will be required to meet a clear and convincing standard of evidence. This is the same standard used for other termination of parental rights cases.

PASSED AND SIGNED BY THE GOVERNOR ON FEBRUARY 13, 2018 (2018 Md. Laws, Chap. 3 and 4)

HB 301/SB 270 • Courts - Evidence of Sexually Assaultive Behavior - Admissibility (Repeat Sexual Predator Prevention Act of 2018)

Primary Sponsors: Delegate Vanessa Atterbeary, Senator Jim Brochin

This legislation enables 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.

PASSED

HB 1303/SB 491 • Family Law - Domestic Violence - Permanent Protective Orders

Primary Sponsors: Delegate Vanessa Atterbeary, Senator Delores Kelley

This legislation expands the circumstances under which a court is required to issue a permanent protective order by deleting the list of crimes for which the respondent must be convicted, sentenced and serve at least one year of the sentence and replacing 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.

PASSED

HB 787/SB 629 • Correctional Facilities - Pregnant Inmates - Medical Care (Healthcare Services for Pregnant Inmates)

Primary Sponsors: Delegate Kathleen Dumais, Senator Delores Kelley

This legislation requires all state, local, and private detention and corrections facilities to have written policies regarding reproductive healthcare services for adult and juvenile pregnant inmates (including pregnancy testing, pregnancy options counseling, prenatal care, prenatal testing and counseling, access to abortion care, miscarriage management, labor and delivery, postpartum care, and adoption). These written policies will be provided to all adult and juvenile inmates and detainees with positive pregnancy test results.

PASSED

HB 1267/SB 869 • Criminal Procedure - Motion to Vacate Judgment - Human Trafficking (Expansion of Maryland's Vacating Laws for Survivors of Human Trafficking)

Primary Sponsors: Delegate Kathleen Dumais, Senator Susan Lee

The proposed change in the law would have expanded legal relief for survivors who experience criminalization tied to their trafficking victimization by applying Maryland's current vacatur law explicitly to survivors of labor trafficking – not just sex trafficking – as well as expanding the number of crimes eligible for vacatur – not just convictions for prostitution.

No vote in House Judiciary or Senate Judicial Proceedings Committees.

HB 1109 • State Government - Discrimination in Employment - Pregnancy and Childbirth (Discrimination in Employment – Conditions)

Primary Sponsor: Delegate Maricé Morales

The legislation clarified that employers would be 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 would have ensured that a pregnant employee would not be forced to take paid or unpaid leave when a reasonable accommodation would have allowed her to continue to work and support her family.

No vote in House Judiciary Committee.

HB 512/SB 377 • Labor and Employment-Pay Scales and Wage History Information (Salary History and Information Disclosure)

Primary Sponsors: Delegate Karen Young, Senator Susan Lee

This legislation would have prevented employers from requiring past salary information as a condition of employment. Basing salary offers on past employment continues a discriminatory cycle and has no relevancy to the current position. Salary offers should be based in current position requirements as well as the skills and experience of the candidate.

Passed House with amendments; no vote in Senate Judicial Proceedings Committee.

Job-Protected Leave

This legislation would have required 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 would receive 6 weeks of unpaid leave and maintain existing health benefits. Upon returning from their leave, their employer would have been required to restore them to the same position or an equivalent position.

Withdrawn.

305 W. Chesapeake Avenue, Suite 201 • Towson, MD 21204

443-519-1005 phone/fax • mdlegagenda4women@yahoo.com • www.mdlegagendaforwomen.org

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Note: Committee votes are now posted online on the Maryland General Assembly website. Look under the Documents section on the bill page.

Click on the link to access the voting record.