



Presentation of Legislative Proposals for the 2019 Legislative Agenda

Proposal	Presented by...
1. Family and Medical Leave Insurance Program	Delegate Ariana Kelly, Maryland House of Delegates
2. Child Support for Post-Secondary Education— Jurisdiction of Court	Senator Susan Lee, Maryland Senate
3. Salary History Information Disclosures	Senator Susan Lee, Maryland Senate
4. HIV Prevention for Rape Victims	Lisae Jordan, Maryland Coalition Against Sexual Assault
5. Prescription Drug Affordability Bill	Catherine Kirk Robins, Maryland Citizens’ Health Initiative
6. Protect Maryland Health Care Act of 2019	Catherine Kirk Robins, Maryland Citizens’ Health Initiative
7. Protective Orders—Relief Eligible – Rape and Sexual Offense	Michelle Siri, Women’s Law Center of Maryland
8. State Government Discrimination in Employment— Pregnancy and Childbirth	Michelle Siri, Women’s Law Center of Maryland
9. Expansion of Maryland’s Vacatur Law for Survivors of Human Trafficking	Jessica Emerson, Human Trafficking Prevention Project
10. Education—Child Sexual Abuse Prevention— Employment Process	Claudia Remington, Maryland Council on Child Abuse and Neglect
11. Pregnant Women in Custody Protection Act of 2019	Kimberly Haven, NARAL Pro-Choice Maryland
12. Pre-Release Facility for Women	Nicole Hanson, Out for Justice and Monica Cooper, Maryland Justice Project
13. Summer SNAP for Children	Tam Lynne Kelley, No Kid Hungry Maryland
14. Increase Maryland’s Minimum Wage to \$15 by July 2023	Brigette Dumais, Fight for 15 Coalition
15. Adoption and Parentage Equality Act	Fran Rothstein, Woman’s Democratic Club of Montgomery County

2018 Fall Agenda Conference—Issue Proposal Form

(You may re-create this form on a separate Word doc. Make sure to include all fields and answer completely.

Do not exceed one page in length.)

Title of Your Bill: FAMLI Program: Family and Medical Leave Insurance Program

Bill Number: TBD

One sentence synopsis of the bill: Building on 2018's successful state employees parental leave legislation and the 2016-2017 Maryland Task Force to Study Family and Medical Leave Insurance, this bill establishes a private sector family and medical leave insurance fund to provide partial wage replacement for employees who take unpaid leave to care for a new child or a family member with a serious health condition, their own serious medical condition, a family member's military deployment.

Committee(s) bill is assigned to: Finance

Lead Legislative Sponsor(s): Delegate Ariana Kelly

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

Lead Group: Maryland Family Network

Lead Group Contact: Clinton Macsherry

Lead Group Contact Phone and Email: 410-370-9429, cmacsherry@marylandfamilynetwork.org

Describe the problem and how it relates to women:

The Federal Family and Medical Leave Act (FMLA) protects the jobs of employees who need to take up to 12 weeks of leave for their own illness, to care for a close family member, or for the birth or adoption of a child. However, this leave is unpaid, creating extreme stress and financial insecurity for families already experiencing illness or family transitions. 79% of Maryland mothers are in the workforce. Families are dependent on working women, and both women and men are responsible for caregiving for elderly and ill relatives (although this responsibility disproportionately falls on women). Only 13% of the workforce has access to paid maternity leave, and an even smaller percentage can access paid caregiving leave. According to the Washington Post, 23% of women go back to work less than two weeks after giving birth because they cannot afford to take unpaid leave. The lack of a paid family and medical leave system leads to economic instability, particularly for women, and is also a major contributor to the wage gap between women and men, and women's financial vulnerability as they age.

Describe your proposed solution and how it will benefit women:

Based on the recommendations of an intensive two-year state Task Force, this program would create a short term disability and caregiving insurance fund that provides up to 12 weeks of partial wage replacement (similar to unemployment insurance) for those that are caring for a new child, have a serious health condition, or are caring for a family member with a serious health condition. New York, Washington State, Rhode Island, New Jersey, and California have similar programs, which are extremely successful. The Task Force identified the strengths and weaknesses of these different programs, and Maryland's proposal is based on research on what works best in these other states.

For more information see the Task Force report: <http://dls.maryland.gov/pubs/prod/HHS/2017-Report-of-the-Task-Force-to-Study-Family-and-Medical-Leave-Insurance.pdf>

Provide a summary of your proposed legislation:

The proposed bill would be administered by the Division of Unemployment Insurance and would provide up to 12 weeks of benefits to an employee who is taking leave from employment due to caring for a new child, a family member with a serious health condition, the employee's own serious health condition, or a qualifying exigency arising out of a family member's military deployment. The legislation will create a state-run insurance pool, similar to unemployment insurance, for those short term absences from work.

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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Title of Your Bill: Family Law-Child Support for Post-Secondary Education-Jurisdiction of Court

Bill Number: TBD

One sentence synopsis of the bill:

The bill would allow the court to retain jurisdiction for child support until age 21 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, Senator Susan Lee

Lead Sponsor(s) Phone Number: 410-841-3378, 301-858-3124

Lead Group: AAUW/ HoCo

Lead Group Contact: Beverlie Fallik, Joan Clinch

Lead Group Contact Phone and Email: Bev-3012750535 bevfallik@gmail.com Joan-443-995-8799
joclin1939@gmail.com

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 21, 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 21 for children enrolled in a post-secondary college or vocational education. It seeks to minimize the disadvantage 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.

2018 Fall Agenda Conference – Issue Proposal Form

Title of Your Bill: Labor and Employment – Salary History Information Disclosures

Bill Number: N/A

One sentence synopsis of the bill: This bill will ensure women aren't forced to carry lower earnings and pay discrimination with them from job to job by prohibiting employers from seeking and relying on job applicants' salary history and by requiring employers to provide the salary range for a position upon a job applicant's request.

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

Lead Legislative Sponsor(s): Delegate Karen Lewis Young; Senator Susan Lee

Lead Sponsor(s) Phone Number: 410-841-3436 (Rep. Young); 410-841-3124 (Sen. Lee)

Lead Group: National Women's Law Center

Lead Group Contact: Andrea Johnson, Senior Counsel for State Policy

Lead Group Contact Phone and Email: 202-319-3041; ajohnson@nwlc.org

Describe the problem and how it relates to women:

"What is your current or prior salary?" is a question that many job applicants dread, with good reason. Employers' use of this information in the hiring process forces women and, especially women of color, who face conscious and unconscious discrimination and, consequently, are paid lower wages, on average, than white, non-Hispanic men, to carry lower earnings and pay discrimination with them from job to job. And job applicants who reduced their hours or left their prior job for several years to care for children or other family members are also penalized when employers set compensation based on their prior salaries which are not reflective of existing labor market conditions or applicants' current qualifications.

Likewise, when an employer asks a job applicant what his or her salary expectations are without providing the applicant any information about the rate of pay for the position, women lose out. Women often ask for less when they negotiate than men, even when they are otherwise equally qualified. But studies show that when job applicants are clearly informed about the context for negotiations, including the types of compensation and benefits, women are more willing to negotiate and more successful, and gender wage gaps are reduced.

Describe your proposed solution and how it will benefit women:

Maryland made important strides in strengthening its equal pay laws in 2016 with the Equal Pay for Equal Work Act, but this law does not clearly reach certain employer practices that are causing gender and racial pay disparities to be perpetuated, like seeking and relying on job applicants' salary history and not providing job applicants the salary range for a position. When women overall in Maryland continue to be paid only 84 cents on the dollar paid to men, and Black women and Latinas are, respectively, paid only 69 and 47 cents on the dollar paid to white, non-Hispanic men, Maryland must urgently use all the tools we can muster to close the wage gap; women and families literally cannot afford to wait any longer.

Since 2016, Massachusetts, Connecticut, Vermont, California, Delaware, Oregon, and Hawai'i and localities from New York City to Louisville, KY, have passed legislation prohibiting employers from relying on salary history. As a leader on equal pay, it is time for Maryland to do the same.

Provide a summary of your proposed legislation:

This bill will prohibit employers from seeking and relying on job applicants' salary history in considering an applicant for employment or in determining their wages. It will also require employers to provide the salary range for a position to a job applicant upon request.



Working to End Sexual Violence in Maryland

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For more information on legislation
contact Lisae C. Jordan, 443-995-5544
LCJordan@mcasa.org

Proposal to Maryland Legislative Agenda to Women (MLAW) 2019 Session, November 17, 2018 Meeting

Bill: HIV Prevention for Rape Victims

Bill Number: TBD (2018 bill: SB731/HB639)

Synopsis: A bill to provide rape survivors with n-PEP, emergency medication to prevent HIV.

Committees: Finance/Health Government Operations or Budget/Appropriations

Legislative Sponsor(s): Senator Brian Feldman, Vice Chair, Finance Committee
Delegate TBD (2018 sponsor was Del. Aruna Miller)

Lead Group: Maryland Coalition Against Sexual Assault
Lisae C. Jordan, Executive Director & Counsel
443-995-5544

This is a bill to ensure that rape victims have meaningful access to medication to prevent HIV infection after a sexual assault. Rape disproportionately affects women.

One of the risks faced by rape survivors is HIV infection. Studies of HIV transmission have been based on consensual sexual activity, and do not account for the violence of rape, so it is unclear what the risk level is. Sexual assault survivors report that fear of HIV infection is one of their major concerns after an assault. One recent case in Maryland involved a child who was infected with HIV after rape when his parents could not afford a co-pay of thousands of dollars.

There are now drugs that can be used to prevent HIV infection. These drugs must be taken within 72 hours of exposure to HIV and must be taken consistently for 28 days. Collectively, these drugs are referred to as n-PEP (Post-Exposure Prophylaxis). Co-pays for these medications are typically over \$1000 for survivors with insurance.

Current law provides rape victims with free emergency medical treatment following an assault, but the State refuses to provide n-PEP to prevent HIV infection in rape survivors. (A subset of victims are given a “starter pack”.) This bill will require that if a rape victim requests and her or his medical provider prescribes n-PEP, the state will pay for the treatment on the same basis as other emergency care. The 2019 bill will propose a pilot project to address concerns raised by the Hogan administration about the cost of providing n-PEP and to obtain more accurate data about the scope of demand. Of rape victims who can benefit from the medication (people who seek medical care within 72 hours), some will know or will learn that the assailant is HIV negative and others will stop taking medication for other reasons. Estimated costs of treatment are uncertain, however, estimated lifetime costs of HIV have been studied and are approximately \$367,000 per infection.

The Maryland Coalition Against Sexual Assault appreciates MLAW’s past support and advocacy for sexual assault survivors and respectfully asks that this bill be included on the 2019 Agenda.

MARYLAND CITIZENS' HEALTH INITIATIVE

Title of Bill: Prescription Drug Affordability Bill

Bill Number: Not yet assigned. (Bill was introduced in 2018 as SB1023/HB1194)

One sentence synopsis of the bill: Create a Prescription Drug Affordability Board in Maryland, an independent body with the authority to evaluate high cost drugs and set fair rates for Marylanders to pay.

Committee(s) bill is assigned to: Likely to be Senate Finance and House Health and Government Operations Committees

Lead Legislative Sponsor(s): Senator Kathy Klausmeier and Delegate Joseline Peña-Melnyk

Lead Sponsor(s) Phone Number: Senator Klausmeier: (410) 841-3620 and Delegate Peña-Melnyk: (410) 841-3502

Lead Group: Maryland Citizens' Health Initiative

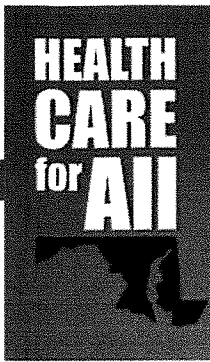
Lead Group Contact: Catherine Kirk Robins

Lead Group Contact Phone and Email: (410) 235-9000 & catherine@healthcareforall.com

Describe the problem and how it relates to women: The soaring cost of prescription drugs is a problem that impacts many Americans, but the issue is particularly burdensome to women. Already facing a gender wage gap, women are disproportionately hurt when drug manufacturers maximize profits at the cost of the patient. As reported by Kaiser Health, 22% of women have said that they have rationed or skipped doses, or left a prescription unfilled because of cost, as compared to 12% of men. Additionally, this issue is compounded by the fact that several drugs used to treat conditions that primarily afflict women have experienced steep price hikes in recent years. Notably, Herceptin, a drug used to treat breast cancer, has rocketed in price, climbing by 78% since 2005. The drug has reached an annual cost of \$60,000 despite having been on the market for two decades. In addition to paying for their own medications, many women are also faced with the responsibility of providing for their children's prescription drugs, as well. Women most often serve as head of household in single parent families. In Maryland, that translates to 300,000 homes, with 19% living in poverty. As we've witnessed EpiPens, insulin, and albuterol increase in price, many Maryland families are facing more of a challenge to ensure that their children receive the medications they need.

Describe your proposed solution and how it will benefit women: Our proposal is to create a Prescription Drug Affordability Board, which will serve as a critical tool to ensure that high cost prescription drugs are affordable to Marylanders. A Prescription Drug Affordability Board would help eliminate some of the healthcare related financial strain that is currently felt by many women throughout Maryland. As prescription drug costs continue to soar, it is imperative that the Maryland General Assembly take action to help ensure that all Marylanders have access to affordable medications, because drugs don't work if people can't afford them.

Provide a summary of your proposed legislation: The Prescription Drug Affordability Board is an independent rate-setting body designed to help ensure that prescription drugs are affordable to Marylanders. The Board will review prescription drugs that create affordability challenges for the Maryland health care system, including patients, and set fair payment rates for Marylanders. The Board will consider a broad range of economic factors when setting appropriate payment rates for reviewed drugs, allowing pharmaceutical manufacturers the opportunity to justify existing costs. Once a fair payment rate is determined, the Board will set an upper payment limit that applies to the entire supply chain, ensuring that lower costs make it to the consumer.

**MARYLAND CITIZENS' HEALTH INITIATIVE**

Bill Title: The Protect Maryland Health Care Act of 2019

Bill Number: TBD. 2018 bill numbers were HB1167/SB1011

One sentence synopsis of bill: To respond to federal sabotage of the Affordable Care Act's individual mandate, this bill would create a Health Insurance Down Payment Plan which would give Marylanders at tax time without health coverage the option to either pay a fee or instead purchase health coverage, bringing more Marylanders into the individual market and stabilizing premiums to help with affordability.

Committee(s) bill is assigned to: TBD. 2018 was Senate Finance and House HGO.

Lead Legislative Sponsor(s): Senator Brian Feldman and Delegate Joseline Peña-Melnyk

Lead Sponsors(s) Phone Number: Sen. Feldman: 410-841-3169. Del. Peña-Melnyk: 410-841-3502

Lead Group: Maryland Citizens' Health Initiative

Lead Group Contact: Catherine Kirk Robins

Lead Group Contact Phone and Email: 410-235-9000 or catherine@healthcareforall.com

Describe the problem and how it relates to women: Women have benefitted greatly from the Affordable Care Act (ACA) in Maryland. From 2013 to 2016, the uninsured rate of women aged 19-64 in Maryland dropped in half from 14% to 7%.¹ Because of the ACA women were able to access federal subsidies to purchase coverage in the individual market, and that coverage was of higher quality thanks to requirements to include well-woman visits, screening for gestational diabetes, breastfeeding support, and more.²

Unfortunately this progress is in danger. The Trump Administration and Republican leadership in Congress have been doing everything they can to sabotage the ACA, including deciding not to enforce the individual mandate starting in 2020. Without the individual mandate, premiums in the individual market are expected to rise,³ putting health coverage out of reach for many women.

Describe your proposed solution and how it will benefit women: Maryland needs to create a policy similar to an individual mandate at the state level in order to stabilize the individual market and protect coverage accessibility and affordability for Maryland women.

Provide a summary of your proposed legislation: This bill would create a Health Insurance Down Payment Plan. At tax time Marylanders would be asked if they had health coverage for the past year. If they say no, then they will be given the option to either pay a fee to the state OR use the fee money to instead purchase quality health coverage. We estimate that roughly 31,000 women in Maryland would be able to purchase health coverage for no more than the amount of the fee plus the federal subsidies for which they are already qualified. This would bring more people into the individual market, stabilizing premiums and improving affordability for more women. In addition, we estimate that roughly 18,750 women in Maryland would be able to enroll in Medicaid who file tax returns but have not yet signed up for coverage.

¹ Kaiser Family Foundation analysis of 2013 and 2016 ASEC Supplement to the Current Population Survey, U.S. Census Bureau.

² https://nwlc.org/sites/default/files/pdfs/aca-factsheets/maryland_healthstateprofiles.pdf

³ <https://www.cbo.gov/system/files?file=115th-congress-2017-2018/reports/53300-individualmandate.pdf>

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(You may re-create this form on a separate Word doc. Make sure to include all fields and answer completely.

Do not exceed one page in length.)

Title of Your Bill: Protective Orders - Relief Eligibility - Rape and Sexual Offense

Bill Number: _____

One sentence synopsis of the bill: Amending the definition of persons eligible for relief in a protective order to include a victim of rape or sexual offense or attempted rape or sexual offense in any degree and removing it from the peace order.

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

Lead Legislative Sponsor(s): Del Dumais and Senator Zirkin

Lead Sponsor(s) Phone Number: 410.841.3052 410.841.3131

Lead Group: House of Ruth Maryland

Lead Group Contact: Dorothy Lennig

Lead Group Contact Phone and Email: 410.274.7773 (cell) dlennig@hruthmd.org

Describe the problem and how it relates to women: For many years, domestic violence and sexual assault advocates have worked to have the protective order (PO) cover victims who were in dating relationships and victims of sexual assault. One of our first attempts to add this resulted in the creation of the peace order. While these acts were covered by the PO, many victims were not eligible for a PO because of their relationships to the abusers. In 2015, the law changed to include victims in sexual relationships. Since then there have been a number of judges who believe date rape victims don't qualify for a PO because the parties were not in a "relationship."

Describe your proposed solution and how it will benefit women: Currently some judges believe that date rape victims do not qualify for a protective order because, although the act of abuse involved sexual contact, the parties were not "in a relationship." By clarifying that this group of victims is eligible for a PO, it provides them with the special protections of a protective order that are not included in peace orders, e.g. longer order, removal of firearms, more robust response by law enforcement.

Provide a summary of your proposed legislation: Amend the definition of persons eligible for relief in a protective order to include victims of rape or sexual offense or attempted rape or sexual offense and remove them from the peace order to clarify that these victims are eligible to receive all of the protections of a protective order rather than the peace order.

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

2018 Fall Agenda Conference—Issue Proposal Form

(You may re-create this form on a separate Word doc. Make sure to include all fields and answer completely.

Do not exceed one page in length.)

Title of Your Bill: State Government Discrimination in Employment - Pregnancy and Childbirth

Bill Number: 2018: 1109

One sentence synopsis of the bill: Expanding existing pregnancy discrimination laws to include not just women with pregnancy-related disabilities, but also women with healthy pregnancies who also need reasonable accommodations.

Committee(s) bill is assigned to: ___Finance/Economic Matters

Lead Legislative Sponsor(s): Delegate Kris Valderrama

Lead Sponsor(s) Phone Number: 410-841-3210 _____

Lead Group: The Women's Law Center of Maryland _____

Lead Group Contact: _Michelle Siri _____

Lead Group Contact Phone and Email: 410-321-8761, msiri@wlcmd.org

Describe the problem and how it relates to women: Under our current laws, a woman who has a disability arising out of pregnancy (e.g., gestational diabetes) is entitled to reasonable accommodations from their employer in order to continue working. A woman with a healthy pregnancy, however, who is in need of accommodations in order to maintain a healthy pregnancy (e.g., doctor recommends not lifting anything over 30lbs) is not entitled to any such accommodation.

Describe your proposed solution and how it will benefit women: This bill would close the loop hole by requiring employers to provide a reasonable accommodation to women with healthy pregnancies too. The same burdens/benefits/obligations would be in effect as placed on an individual with a disability. And an employer would not be required to provide the accommodation if doing so would create an unreasonable burden on the employer.

Provide a summary of your proposed legislation: This bill would require an employer to provide reasonable accommodations to a pregnant employee or an employee who recently gave birth, for the durations of the employee's limitation caused or contributed to by pregnancy or child birth, if the employee would accommodate other employees with disabilities in a similar manner.

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

MLAW 2018 Fall Agenda Conference– Issue Proposal Form

Bill Title: Expansion of Maryland’s Vacatur Law for Survivors of Human Trafficking

Bill Number (if known): TBD

One Sentence Synopsis of the Bill: Expanding Maryland’s current “vacating convictions” law to allow criminalized survivors of human trafficking to remove crimes *other than* prostitution from their criminal records would significantly increase the ability of these survivors to access to employment and stable housing, as well as heal from the trauma of their trafficking experience.

Committee(s) Assigned: Senate Judicial Proceedings
House Judiciary

Lead Bill Sponsor(s): Senator Susan Lee, 410-841-3124

Lead Advocacy Group (name, contact person, email, phone):

Human Trafficking Prevention Project
Contact Name: Jessica Emerson
Email: jemerson@ubalt.edu
Phone: (410) 837-4566

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 various criminal acts by their traffickers. Survivors who are arrested and convicted for crimes they were forced to commit often experience difficulties obtaining safe housing and gainful employment, which in turn keeps them trapped in poverty and vulnerable to continued exploitation.

Describe Your Proposed Solution and How It Will Benefit Women:

Although Maryland law already allows survivors of sex trafficking to vacate, or, set aside prostitution convictions stemming from their trafficking experience, prostitution is only one of many crimes these survivors are commonly forced to commit. Under Maryland's current “vacating convictions” law, only prostitution convictions are eligible for vacatur. As a result, the number of survivors able to access this form of legal relief is low, while the need for legal relief remains high. Additionally, the singular focus on prostitution convictions 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.

Provide a Summary of Your Proposed Legislation:

This proposed change in law will expand Maryland's current “vacating convictions” 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. 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 deserve.

Do not exceed one page.

2018 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Education - Child Sexual Abuse Prevention - Employment Process

Bill Number: 2018 Session HB 1571

One sentence synopsis of the bill: Prohibits public and non public schools and contracting agencies from employing a person serving in a position which involves regular contact with students unless the employer conducts a review of the employment history of the applicant by contacting former and current employers and requesting information regarding investigations, disciplinary actions, and/or licensing terminations due to child sexual abuse and sexual misconduct allegations.

Committee(s) bill is assigned to: Ways & Means/ Education, Health & Environmental Affairs

Lead Legislative Sponsor(s): Delegate C.T. Wilson

Lead Sponsor(s) Phone Number: 410-841-3325

Lead Group: Maryland State Council on Child Abuse & Neglect (SCCAN)

Lead Group Contact: Claudia Remington

Lead Group Contact Phone and Email: 240-506-3050 and Claudia.remington@maryland.gov

Describe the problem and how it relates to women:

For 28 to 33% of women (compared to 12 to 18% of men), a culture of sexual violence, including the silencing and shaming of survivors, began in childhood or adolescence, as victims of child sexual abuse. Between 1 in 10 and 1 in 100 students will experience sexual abuse, harassment or misconduct in a school setting by the time they graduate from high school. In one study, 56% were female; 62% were high school students; and, the average age of students was 15. Sexual abuse and misconduct before the age of 18 has significant lifetime consequences for women:

- Girls who are sexually abused are more likely to suffer physical violence and sexual re-victimization, engage in self-harming behavior, and be a victim of intimate partner violence later in life.
- Female adult survivors of child sexual abuse are nearly three times more likely to report substance use problems; more than twice as likely to suffer from depression; and, three times more likely to develop psychiatric disorders than women who were not sexually abused.
- Women aged 20 to 24 are four times more likely to develop an eating disorder than non-victims. • Middle-aged women are twice as likely to be obese than non-victims.
- The CDC recently estimated the lifetime cost of child sexual abuse is estimated to be more than \$280,000 per victim, including immediate costs as well as loss of productivity and increased healthcare costs in adulthood.

As the public is becoming increasingly aware, sexual abuse, violence and misconduct often goes unreported; and, even worse than that disclosures are often dismissed or ignored by individuals and/or systems protecting their own interests. In instances where sexual abuse and misconduct are shared with school administrators, they may go unreported to authorities, be settled behind closed doors, being finalized with a non-disclosure agreement barring either party from sharing information about the conduct. The result? Released employees take jobs in new unsuspecting schools, their sexual abuse/misconduct in one county or district kept a secret, allowing them to stealthily slip into the lives of a new community of students.

Describe your proposed solution and how it will benefit women:

Preventing sexual violence against women is a complex problem requiring a comprehensive approach. Breaking the culture of silence that surrounds sexual violence, including that surrounding sexual abuse and misconduct in schools, is a key component of addressing and preventing the problem. Maryland's sister states, Pennsylvania (2014) and New Jersey (2018) legislatures have unanimously passed the proposed legislation, along with other states. Recent cases of sexual abuse and misconduct in Prince Georges, Montgomery, and Charles County schools among others, compel Maryland to act, as well. The process established in the proposed bill, ensures that victims complaints are not silenced, but heard and addressed through CPS, Law Enforcement and/or School Employee Investigatory and Disciplinary Process. Reducing the numbers of students who become victims of sexual abuse/misconduct in our schools, prevents future victimization, mental, physical and behavioral health problems and many of the other lifetime costs of sexual violence that most significantly effect women.

Provide a summary of your proposed legislation:

The bill forbids schools from keeping child abuse or sexual misconduct investigations secret unless the allegations are false. It requires prospective school employees to disclose in writing if they were ever disciplined, had a contract non-renewed or resigned during a child abuse or sexual misconduct investigation. Perhaps most importantly, schools would have to directly ask previous employers if a teacher was under investigation when they resigned, and those schools would be immune from liability for providing information. Confidential non-disclosure agreements re: sexual abuse and/or misconduct would be banned.

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

HB 1571(attached) unanimously passed the House of Delegates. No vote was taken in Senate EHE before Sine Die.

2018 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Pregnant Women in Custody Protection Act 2019

Bill Number: _____

One sentence synopsis of the bill: Prohibiting the use of restrictive housing or medical isolation on inmates and detainees during pregnancy as well as during the post-pregnancy recovery period.

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

Lead Legislative Sponsor(s): co-lead sponsor Senator Will Smith; others are being identified

Lead Sponsor(s) Phone Number: _____

Lead Group: NARAL Pro-Choice Maryland/ Reproductive Justice Inside Coalition (RJI)

Lead Group Contact: Diana Philip

Lead Group Contact Phone and Email: 202.870.0422 diana@prochoicemd.org

Describe the problem and how it relates to women:

Pregnant women and girls who are incarcerated or detained in Maryland correctional facilities are often subject to being placed in restrictive housing or medical isolation – a form of solitary confinement. There has been a call across the nation to end its excessive use as it exacerbates the difficulties women already face while in prison or jails. Maryland is known to place its prisoners in solitary confinement at twice the national average. Pregnancy is a medical event that can often carry greater risks of stress and depression for those placed in situations in which they feel vulnerable or invisible. The experience of forced confinement is seen by the inmate or detainee as punishment, and the psychological impact worsened by being separated from the general population and placed in a small isolated cell for 22 hours or more a day. This additional, unwarranted stress may result in significant harm to a woman and her fetus, including miscarriage, heightened risk of infection, preterm labor, and low birth weight. The isolation can create barriers to receiving critical nutrition and timely medical care, and engaging in regular physical exercise that are vital for a healthy pregnancy. Studies show that placement back into medical isolation or restrictive housing after the conclusion of one's pregnancy can increase the risk of postpartum or pregnancy loss depression.

Describe your proposed solution and how it will benefit women:

This measure will build on and expand the legislation already passed in Maryland: Healthy Births for Incarcerated Women in 2014, which sought to end the shackling of pregnant women and girls during the third trimester. In addition to laws enacted last month requiring written policies of each correctional or detention facility regarding free and adequate access to menstrual hygiene products and pregnancy-related healthcare, this legislation will take Maryland's protections one step further. It is very difficult for pregnant inmates to engage in self-advocacy when forced by the system into segregated confinement that could jeopardize their health and their pregnancies.

Provide a summary of your proposed legislation:

This legislation will prohibit the use of solitary confinement on inmates during the periods of pregnancy, labor, and post-pregnancy recovery. Medical isolation or restrictive housing means any type of detention that involves: removal from general inmate population; placement in a locked room or cell (whether alone or with another inmate); and the inability to leave the room or cell for the vast majority of the day. Beginning on the date on which pregnancy is confirmed by a healthcare professional, and ending at the conclusion of postpartum recovery, an inmate in the care/custody/control of the Department of Public Safety shall not be involuntarily held in restrictive housing. Postpartum recovery means the eight-week period allowing full recovery after a birth or pregnancy loss. This prohibition also applies to a woman with other pregnancy outcomes – such as a pregnancy that ends in stillbirth, miscarriage, ectopic pregnancy, or other non-live birth outcome.

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

2018 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Pre-release Facility for Women

Bill Number: TBD

One sentence synopsis of the bill: This bill requires the Commissioner of Corrections to operate a pre-release unit for women, providing them with critical reentry resources on par with what is already available to men.

Committee(s) bill is assigned to: TBD; Last year's bill was assigned to Judiciary

Lead Legislative Sponsor(s): TBD

Lead Sponsor(s) Phone Number: TBD

Lead Group: Maryland Coalition for Women Prisoners (Out for Justice, Maryland Justice Project, ACLU of Maryland, Job Opportunities Task Force, MD Prisoner's Rights Coalition for Girls)

Lead Group Contact: Out for Justice (OFJ) and Maryland Justice Project (MJP)

Lead Group Contact Phone and Email: OFJ (Nicole Hanson:443-600-0920/ nhanson@out4justice.org)
MJP (Monica Cooper: 443-462-6924/monicac169@gmail.com)

Describe the problem and how it relates to women:

Pre-release facilities are designed to assist individuals who are nearing their release by preparing them to reintegrate back into their communities. While men have 3 pre-release centers located off prison grounds, women have zero. Maryland decided to close the only community-located women's pre-release center in 2009, relocating all pre-release services to the Maryland Correctional Institute for Women in Jessup (MCI-W). Prison authorities have justified the closing of this facility, indicating there were an insufficient number of women on pre-release status; however, as many as 90 incarcerated women in Maryland are on prerelease status. That is TRIPLE the number of men housed at Threshold, a state-contracted, pre-release facility located in Baltimore City (Threshold description at State.md.us)

At MCI-W, women on pre-release status are co-housed with women on maximum security status. These women express fear for their safety as they try to focus on their reentry plan. This fear is justified given the 1 in 16 inmate assault rate at MCI-W, which is greater than that of both state-run pre-release facilities for men which are 1 in 20 and 1 in 100. Women currently housed at MCI-W have reported that they receive few, if any, services that are unique to their pre-release status. They also describe post-release housing assistance as inaccessible due to unreachable case managers, excessive "red tape" to preventing visits with their families, few job options, and an inability to keep their work-release job upon release.

Describe your proposed solution and how it will benefit women:

Opening a community-located pre-release center for women would allow women to begin their transition out of prison surrounded by others with the same goals and close to the employment and interpersonal resources that can continue to support them post-release.

Provide a summary of your proposed legislation:

The proposed bill requests more thorough and detailed reporting on the current pre-release services available to women at MCI-W and post-release recidivism outcomes for women who participate in MCI-W's prerelease services. This bill will require the opening of a community-based pre-release facility based on this data in order to more effectively meet the needs of Maryland's soon to be released women. In alignment with well-known factors that reduce recidivism, as well as with gender-responsive principles, this facility would provide access to physical and mental healthcare, education surrounding money management and job skills, access to job training and local employment, opportunities to reconnect with important family members and other social supports, connection to stable housing, and, most importantly, a thorough plan for the continued access to these supports and services after release. We are in the process of deciding whether this will be a budget or substantive bill.

2018 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Summer SNAP for Children
Bill Number: (No bill number for 2019 yet)

One sentence synopsis of the bill:

Summer SNAP for Children is an efficient and effective strategy to reduce poverty and hunger by providing low-income families with a supplement for food during the summer months of June, July, and August.

Committee(s) bill is assigned to: Senate Budget and Taxation and House Appropriations

Lead Legislative Sponsor(s): Senator TBD & Delegate Queen

Lead Sponsor(s) Phone Number: 410-841-3380

Lead Group: No Kid Hungry Maryland

Lead Group Contact: Tam Lynne Kelley

Lead Group Contact Phone and Email: 410-753-4304 tkelley@strength.org

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

HB 1432 Food Stamp Program – Summer Supplement for Children – Pilot Program

Describe the problem and how it relates to women:

In the United States, women are 38% more likely to live in poverty than men - and these disparities are even greater among women of color and female headed households with children. Summer is an especially difficult time of year for low-income families because children lose access to free and reduced-price school meals. Research shows that family grocery costs rise more than \$300 a month when school is out, putting a strain on already tight budgets. Not only are the additional food costs a burden for low-income households, but so is the cost of summer childcare.¹ As a result, many low-income families with children struggle during the summer months to meet their basic needs, including adequate healthy food.

Describe your proposed solution and how it will benefit women:

The Supplemental Nutrition Assistance Program (SNAP), known as food stamps or the Food Supplement Program (FSP) in Maryland, is a lifeline for more than 635,000 low-income Marylanders. SNAP is a vital support for female headed households especially, as they are three times as likely to receive SNAP benefits as compared to male headed households.² Summer SNAP for Children provides an additional monthly benefit for food of \$30 per child during the three summer months for families who are recipients of SNAP benefits. There are currently 133,577 families with children and 272,389 individual children that receive SNAP benefits in our state (July 2016). These families are among the most vulnerable in our community. For example, a single parent with one child that has a monthly income below \$1,800 a month may qualify for SNAP/FSP. As a result of their disproportionately higher poverty rates, higher likelihood of caring for children, and greater participation in SNAP, the Summer SNAP for Children program will provide a vital support for women in Maryland.

Provide a summary of your proposed legislation:

¹ Novos, C. (2018). Families Can Expect to Pay 20% of Income on Summer Child Care. *Center for American Progress*. <https://www.americanprogress.org/issues/early-childhood/news/2018/06/11/451700/families-can-expect-pay-20-percent-income-summer-child-care/>

² U.S. Census Bureau. (2017). Food Stamps/Supplemental Nutrition Assistance Program (SNAP). https://data.census.gov/cesgs/results-tables?SNAP%20Stamps&cs=SNAP%20Stamps&tab=ACS11Y2011.S2201&ds= search%20suggestions@false&app=from@RESULTS_ALL&app_page@1&table%20currentPage@1

Maryland's Summer SNAP for Children is modeled after the successful federal pilot program, the Summer Electronic Benefits Transfer for Children (SEBTC), which provides a monthly cash benefit for food to low-income children during the summer months. Outcomes of the SEBTC program include a 33% reduction in child food insecurity³ (food insecurity occurs when a household has limited or uncertain access to enough healthy food) and an improved diet, including, 1 additional serving of fruit and vegetables every day, 30% increase in the consumption of whole grains, and an 8% reduction in the consumption of sugar-sweetened beverages. Summer SNAP for Children builds on the existing foundation of the Supplemental Nutrition Assistance Program (SNAP) / Food Supplement Program (FSP), which provides monthly benefits for food on an electronic benefits card to about 272,000 low-income children in Maryland. Using the existing structure of the SNAP/FSP program is efficient and will benefit the entire community by encouraging more families who are eligible for the federally funded SNAP/FSP benefit to apply – thus bringing in more federal resources in the form of SNAP dollars. SNAP dollars serve as a boost to the local economy – every \$1 in SNAP generates \$1.80 in local economic activity.

³ Summer Electronic Benefits Transfer for Children: Evaluation Findings for the third implementation year. <https://ins-prod.axureedge.net/sites/default/files/ops/sebtc2013-Summary.pdf>

2018 Fall Agenda Conference—Issue Proposal Form

Title of Bill: A Bill to Increase Maryland's Minimum Wage to \$15 by July 2023

Bill Numbers: TBD

Synopsis: Raise the minimum wage to \$15/hour statewide

Committees: House Economic Matters Committee & Senate Finance Committee

Lead Sponsors: Senator Richard Madaleno & Delegate Shelly Hettleman

Phone Numbers: RM-- 301.858.3137 & SH—410.841.3833

Lead Group: Fight for 15 Coalition

Lead Group Contact: Ricarra Jones – 443.844.6513, ricarra.jones@1199.org

Describe how the problem relates to women:

The cost of living in Maryland is so high that people working for minimum wage are unable to cover the costs of their basic-necessities of food, water, rent, gas & electric, and transportation. Minimum wage workers often have to work multiple jobs just to scrape by. Women are only half of Maryland's workforce, yet more than half (55%) of minimum wage workers are women. The majority of women who work for minimum wage are women of color. Many minimum wage workers are the main source of income for their families. Furthermore, 14% of minimum wage workers are single mothers.

Describe your proposed solution and how it will benefit women:

Raising the minimum wage to \$15/hour will help to close some of the gender and racial pay gaps. This means that hard working women will attain economic empowerment by having more money in their pockets. The bill will also empower tipped food service workers, the vast majority of whom are women, by giving them a livable base pay rather than relying on tips as the primary source of income. This will reduce the high levels of sexual harassment from customers women in the food service industry are forced to endure in order to get decent tips.

Summary of Proposed Legislation:

The legislation will raise the statewide minimum wage to \$15/hour for *all* workers; including tipped, youth, and seasonal workers. The phase-in period for the \$15/hour minimum wage is 5 years. Wages will be raised incrementally, starting with a \$0.90 increase in the first year and a \$1 increase each year until the minimum wage gets to \$15/hour. After the minimum wage reaches \$15, the minimum wage will be "indexed," which means it will automatically be tied to the cost of living. So, if the cost of living goes up, wages rise to reflect increased costs.

2018 Fall Agenda Conference—Issue Proposal Form

Title of Your Bill: Adoption and Parentage Equality Act
Bill Number: (No bill number for 2019 yet)

One sentence synopsis of the bill: The proposed Adoption and Parentage Equality Act would ease the financial and procedural burden of adoption (and second parent adoption) for women and other prospective parents, while also ensuring that more children are able to grow up in stable, caring families.

Committee(s) bill is assigned to: TBD
Lead Legislative Sponsor(s): Senator Will Smith and Senator Cheryl Kagan
Lead Sponsor(s) Phone Number: 410-841-3634 and 410-841-3134
Lead Group: Woman’s Democratic Club of Montgomery County
FreeState Justice
Lead Group Contact: Fran Rothstein and Jennifer Kent
Lead Group Contact Phone and Email: rothsteinfran@gmail.com and jkent@freestate-justice.org

The Problem and How It Relates to Women

Currently, in Maryland, it can be onerous and expensive for non-biological parents to adopt a child. For example, a lesbian woman who wishes to legalize her parental relationship to a child borne by her partner through a second-parent adoption faces an expensive and often demeaning process. Other prospective adoptive parents – male, female, and other – may face similar difficulties. Additionally, Maryland lacks a uniform definition of parentage.

The Proposed Solution and How It Will Benefit Women

We know that a growing percentage of families are composed of individuals who do not look like the “mother, father, two biological children” model of yore. The proposed Adoption and Parentage Equality Act would ease the financial and procedural burden of adoption (and second parent adoption) for women and other prospective parents, while also ensuring that more children are able to grow up in stable, caring families. It would also clarify and broaden family recognition law to eliminate discriminatory presumptions.

Summary of the Proposed Legislation and Its Supporters

The Adoption and Parentage Equality Act will:

- Standardize and streamline procedures for the full recognition of all families.
- Make the family recognition process for non-biological parents less burdensome.
- Eliminate sex and gender discriminatory presumptions from family recognition law.

FreeState Justice and the Woman’s Democratic Club of Montgomery County have worked with staff of Senator Will Smith (D 20) and Senator Cheryl Kagan (D 17), as well as additional advocates, to shape the proposed legislation, and to expand upon a narrower bill that Sen. Smith introduced last session. The proposed legislation fits all the criteria for inclusion in MLAW’s legislative list.