

**MLAW**  
Maryland Legislative  
Agenda for Women

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# 2024 LEGISLATIVE BRIEFING

FEBRUARY 7, 2024

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# 2024 Legislative Briefing Agenda

**Welcome and Overview** *Michaele Cohen, MLAW President*

**Introduction of Legislators** *Wandra Ashley-Williams, MLAW Treasurer*

**Presentation of 2024 Agenda Legislation** *Angela McDaniel, MLAW Vice President*

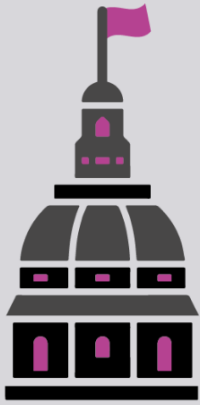
Questions will be taken after each bill. Please type your questions in Chat.

- **HB 496/SB 758 – Criminal Law - Sexual Crimes - Definition of Consent and Repeal of Force**  
*Presented by: Lisae Jordan, Maryland Coalition Against Sexual Assault*
- **HB 869/SB 753– Public Safety - Firearm Background Checks, Victim Notification, and the Maryland State Police Gun Center**  
*Presented by: Melanie Shapiro, Maryland Network Against Domestic Violence*
- **HJ 1/SJ 1 – Affirming the Federal Equal Rights Amendment**  
*Presented by: Delegate Edith Patterson*
- **HB 39/SB 197 – Residential Services Agencies - Reimbursement - Personal Assistance Services (Homecare Worker Rights Act of 2024)**  
*Presented by: Diana Jarek, Public Justice Center*
- **HB \_\_\_/SB \_\_\_ – Dignity in Access to Health Facilities Act**  
*Presented by: Jennifer Mercer, Pro Choice Maryland*
- **HB 482/SB 398 – Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation**  
*Presented by: Melanie Shapiro, Maryland Network Against Domestic Violence*
- **HB 649/SB 525 – Labor and Employment – Equal Pay for Equal Work - Wage Range Transparency**  
*Presented by: Delegate Jennifer White Holland and Kali Schumitz, Maryland Center on Economic Policy*
- **HB 691/SB 119 – Legally Protected Health Care - Gender-Affirming Treatment**  
*Presented by: Scott Tiffin, Trans Rights Advocacy Coalition*
- **HB 99/SB 113 – Criminal Law - Sexual Solicitation of a Minor Through Child Pornography – Prohibition**  
*Presented by: Joyce King, Maryland State's Attorney's Association*

**Introduction of Legislators** *Wandra Ashley-Williams, MLAW Treasurer*

**Closing Remarks** *Michaele Cohen, MLAW President*

**Thank you for joining us!**



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# 2024 LEGISLATIVE AGENDA



## 1994 - 2024

### 30 Years of Advocacy for Women's and Family Issues

**MLAW is the only statewide coalition of women's groups and individuals that provides a non-partisan, independent voice for Maryland women and families.** MLAW harnesses the **collective power of women** by mobilizing, coordinating and collaborating with networks, groups, and individuals from all over the state to **advocate for the passage of legislation to promote and protect the well-being of women and their families in Maryland.**

This call to action for legislative change has resulted in a coalition almost unique in the United States. The annual legislative conference and other activities have energized thousands of women, and male allies, to become engaged in advocacy for important issues affecting Maryland women and families.

The annual Legislative Agenda has included a broad diversity of issues and the organization's advocacy and collaborative efforts have resulted in the **passage of 112 pieces of legislation enacted by the Maryland General Assembly** since its inception.

This extraordinary success has made a **significant difference for women and families.** It has established MLAW as a **powerful voice for women and their priorities in Maryland.**

**MLAW provides visibility for legislation affecting women and families.** The fall conference develops our MLAW Legislative Agenda and an annual legislative briefing during the legislative session introduces the Agenda to advocates and legislators. These events focus legislators' attention on our issues and raise their visibility throughout the state. We distribute the annual Legislative Agenda to every Maryland legislator. In collaboration with our advocacy partners, we submit testimony, advocate for bills, and promote our Agenda through our large e-mail list, website, and Facebook page.

The Maryland Legislative Agenda for Women is proud of its achievements during the last 30 years, but there is more to be done. **Join us and help us continue to make a difference for Maryland women and families.**



## Overview

The Maryland Legislative Agenda for Women (MLAW) is a statewide coalition of women's groups and individuals formed to provide a non-partisan, independent voice for Maryland women and families. The coalition advocates for progressive legislation and policies that promote and protect the well-being of Maryland women and their families and provide them opportunities to develop their full potential.

### Our Vision

Maryland women and their families have a right, by law, to an adequate and sustainable quality of life and an opportunity to develop their full potential.

### Guiding Principles

- An adequate standard of living regardless of ability to work or achieve financial independence
- Personal safety at home, school and the workplace
- Freedom from discrimination in Maryland's economic, educational, judicial, political, and social system
- Equal access to quality health care and reproductive services
- Safe and affordable child and dependent care
- A quality, public education
- Equitable and responsible implementation and enforcement of rights and protections provided by existing law
- Elimination of discriminatory policies and practices based on age, ethnicity, gender, physical abilities and attributes, race, and sexual orientation
- Family-friendly employment practices

## Board of Directors

Wandra Ashley-Williams, *Treasurer*

Elizabeth Joyce

Anita Riley

Lee Bachu

Angela McDaniel, *Vice President*

Diana Rubin, *Secretary*

Sandy Bell

Stephanie McGencey

Shuchi Sharma

Shruti Bhatnagar

Helene Meister

Joan Stine

Michaele Cohen, *President*

Jan Molino

Lenita Walker

Lynn Gilbert

Diana Philip

Laura Weeldreyer

Tahira Mussarat Hussain

Jessica Morgan, *Administrative Staff*

### Maryland Legislative Agenda for Women

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## Statement on Racism

The Maryland Legislative Agenda for Women (MLAW) unequivocally supports the Black Lives Matter movement and stands in solidarity with African American communities as an ally in the fight against systemic racism, racial injustice, and discrimination.

Diversity and equity are two of the core values through which MLAW strongly advocates for its legislative priorities centered around addressing issues of concern to women and that also disproportionately affect communities of color.

Too often, well-intended advocacy efforts ignore the unique challenges of the very communities the efforts aim to support. We are committed to ensuring that we are not just opposed to systemic racism and racist policies, but that we as an organization are actively working towards anti-racist solutions. As we work collaboratively with our members and partner networks towards solutions, we will be more deliberate about establishing meaningful relationships and dialogue with the communities being supported.

To that end, the MLAW Board of Directors will ensure the following:

1. All legislative proposals submitted for consideration for the annual MLAW Legislative Agenda must include information about racial impact and be reviewed by the Board of Directors using a racial equity lens.
2. The MLAW Legislative Agenda will include at least one racial equity bill per legislative session.
3. Presenters, sponsors, and advocates for proposed legislation and attendees at our events will be representative of the diverse and wonderful communities that we seek to uplift and support.
4. MLAW's Board of Directors and membership will represent diversity in perspectives, ideas, culture, backgrounds, race, and ethnicity.
5. MLAW will ensure broader and consistent outreach to gain a more diverse membership and increase engagement in MLAW's education and advocacy efforts.

For 29 years MLAW has provided a non-partisan, independent voice for Maryland women and families, and we will continue to strive to be an organization that is committed to advocating for anti-racist, progressive legislation and policies that promote and protect the well being of Maryland women and their families and provides them opportunities to develop their full potential.



## Statement on Roe vs. Wade

The SCOTUS decision to overturn Roe v. Wade is a devastating blow to a fundamental human right that people in this country have been able to access for decades and generations. Removing access to abortion will have dire—life-threatening—consequences for women across this country. Overturning 50 years of precedent significantly undermines reproductive freedom and a woman’s bodily autonomy.

The evisceration of this human right significantly limits health care for women, deepens racial disparities, will increase maternal mortality rates, and will have particularly dangerous consequences for low-income women and women of color. The travesty of this politicized decision will overwhelm mental health services, foster care providers and social services agencies with potentially disastrous outcomes.

Forcing pregnant people and minors to carry a pregnancy to term, regardless of circumstance, or worse, having to prove that a rape or incest has occurred, is not only invasive but unnecessarily cruel and dehumanizing. Women deserve better than that.

Make no mistake, this decision is just the tip of the iceberg to take away the most basic human rights, and we stand ready to work with our partners in protecting the autonomy and privacy of Marylanders' lives.

We are proud to have supported the successfully passed Abortion Care Access Act in the 2022 legislative session. This bill, which will expand abortion providers and training, will be necessary to help ensure that Maryland women as well as pregnant people who come to Maryland from across the country receive the vital care they need when they are making the most deeply personal choices of their lives.

As we have for decades, MLAW will continue to support Marylanders' full autonomy and vociferously put our full weight behind supporting Marylanders' access to abortion.

# 2024 MLAW SUPPORTERS

## Organizations

1199 SEIU United Healthcare Workers East  
AAUW Anne Arundel County  
AAUW Garrett Branch  
AAUW Kensington-Rockville Branch  
AAUW Maryland  
Adolescent Single Parent Program (PGCPS)  
Anne Arundel County Commission for Women  
Anne Arundel County NOW  
Baltimore County Commission for Women  
Black Women for Positive Change, Baltimore Chapter  
Bound for Better, Advocates for Domestic Violence  
Bound for Better, advocates for Domestic Violence  
Business & Professional Women/Maryland  
Center for Infant & Child Loss  
Child Justice, Inc.  
Church Women United, Inc.  
Climate XChange Maryland  
Court Watch Montgomery  
CTLDomGroup Inc  
DABS Consulting, LLC  
Engage Mountain Maryland  
Frederick County Commission For Women  
If/When/How at University of Baltimore School of Law  
Lee Law, LLC  
Les Etoiles in Haiti  
Maryland Coalition Against Sexual Assault  
Maryland Legislative Coalition  
Maryland Network Against Domestic Violence  
Maryland WISE Women  
Miller Partnership Consultants  
MomsRising  
Montgomery County Alumnae Chapter, Delta Sigma Theta Sorority, Inc.  
Montgomery County NOW  
National Coalition of 100 Black Women, Inc., Anne Arundel County Chapter  
National Organization for Women, Maryland Chapter  
Rebuild, Overcome, and Rise (ROAR) Center at UMB  
REHarrington Plumbing and Heating  
Reproductive Justice Maryland  
Stella's Girls Inc  
The Federation of Jewish Women's Organizations of Maryland  
The Hackerman Foundation  
The Relentless Feminist  
The Salvation Army Catherine's Cottage  
Top Ladies of Distinction, Inc., Patuxent River  
Top Ladies of Distinction, Prince George's County  
TurnAround Inc.  
University System of Maryland Women's Forum  
Women of Action Maryland  
Women's Equity Center and Action Network (WE CAN)  
Women's Law Center of Maryland  
Zeta Phi Beta Sorority, Incorporate - Alpha Zeta Chapter  
Zonta Club of Annapolis



# Individuals

Rachelle Adams	Sharon Davlin	Enid Light	Diane Roca
Abena Affum-McAllister	Cynthia Dawson	Pamela Lockett	Joan Rosenstein
Nas Afi	Valerie Dougherty	Kendall Ludwig	Jill Ross
Aileen Alex	Lisa Dowell	Susan Lyon	Diana Rubin
Renita Alexander	Nicole Y. Drew	Clara Malafarina	CeCe Rund
Susan Anderson	Lisa Elliott	Michelle Malis	Laure Ruth
Loraine Arikat	Whitney Elliott	Carolyn Martin	Gloria Salazar
Wandra Ashley-Williams	Fran Everett	Ruth Martin	Carroll Saussy
Melissa Atherholt	Jeannette Feldner	Susan Martin	Sheila Scott
Lee Bachu	Adrienne K Felton	Elena Martinez Fernandez	Bobbi Seabolt
Diana Bailey	Patricia Fenn	Tina Martin-Selders	Suellen Seigel
Suzanne Bailey	Tonia D. Ferguson	Loretta Mask Campbell	Bonnie Sermons
Theresa Barrett	Linda Fihelly	Angela McDaniel	Julia Sessions
LaToya Bates	Lisa Fuller	Ellen McDaniel-Weissler	Shuchi Sharma
Keirsten Beckelhimer	Joanne Gallos	Stephanie McGencey	Cindy Shubin
Diana Beeson	Barbara Gardner	Courtney Mckenney	Lisa Simon Jablon
Dawn Beitzel	Barbara Garrard	Kathy McKnight	Michelle Siri
Dian Belanger	Kathleen Gibbs	Kathy McKnight	Pamela Smelser
Michelle Bell	Lynn Gilbert	Landa McLaurin	Petra Smeltzer
Sandy Bell	Mary Ann Gorman	Cheryl Menke	Ellison Smith
Kathleen Bengali	Cynthia Graham	Eileen Menton	Symbolie Smith
Rebecca Benzer	Betsy Grater	Judith Merriman	Franklin Snyder
Rosalyn Berkowitz	Christine Griffin	Karin Miller	Mary Sobray Sobray
Kara D. Beverly	Anjali Gulati	Melanie Miller	Sonia Socha
Shruti Bhatnagar	Nancy Hackerman	Jan Molino	Alexis Solis
Latasha Blackmond	Susan Hailman	Frank Molony	Walter Sonnevile
Sharon Blugis	Merchelle Halsey	Valerie Montague	Sydney Spencer
Gerald Blum	Alicia Hannon	Genevieve Montgomery	Sheila Sprague
Dawn Bolton	Marilyn Hathaway	Yonelle Moore Lee	Kate Campbell Stevenson
Linda Boteach	Molly Hauck	Jessica Morgan	Joan Stine
Bobra Boyd	Barbara Hays	Kayla Morgan	Susan Talbott
Mary Boyles	Sue Hecht	Pilar Morgan	Barbara Taylor
Mara Braverman	Sue Hecht	Dana Murray	Linda Thomas
Sandra Bryant	Linda Herdering	Eugenia Newberg	Emilee Towey
Danelle Buchman	Nancy Hirsche	Patricia Nicholls	Ruth Travis
Constance Buckley	Sara Hoffman	Pam Nicholson	Leilani Uttenreither
Dottery Butler-Washington	Susan Horst	Susan Nicholson	Janet Vernon
Jan Butts	Gail Hudson-Nickerson	Patricia Nordstrom	Karen Walfall
Pamela Buzzerd	Tahira Hussain	Kate O'Leary	Lenita Walker
Lillie Caldwell	Sharon Jacob	Kirsten Oliver	Carla Walton
Christine Campe-Price	Kaprece James	Jo-Ann Orliinsky	Susan Ward
Rosario Campos	Elizabeth F. Johnson	Jana Owens	Monica Watkins
Janet Caputo	Jakeya Johnson	Benedicta Oyiana	Lydia Watts
Judy A. Carbone	Michele Johnson	Delegate Edith J. Patterson	Laura Weeldreyer
Victoria Caruthers	Ricarra Jones	Heather Pellet	LaKeisha Wells
Wendy CG	Lisae Jordan	Edith Perry	Lara Westdorp
Alice Chambers	Denise M. Joseph	Crystal Peters	Sonya Whited
Andrea Chamblee	Elizabeth Joyce	Diana Philip	Cynthia Williams
Lorraine Chase	Sesha Jupudi	Jennifer Pollitt Hill	Donna Williams
Lavontte Chatmon	Carolyn Keaton Culp	Allie Post	Sandra Wilson-Barnes
Tara Clifford	Lois Kelberman	Blair Potter	David Winfield
Sara Cochran	Maxine Kellman	Josepha Price	Danyell Winkey Smith
Michaele Cohen	Cherie King	Charlene Pullias	Rebecca Wise
Carolyn Coon	Roxann King	Lori Ramsey	Judy Lyons Wolf
Beth Corbin	Margaret Kotzalas	Stacey Rebbert	Cornelia Wolfe
Courtney Coulter	Michelle Koul	Heather Reichardt	Alice Wong
Melissa Curtin	Cresta Kowalski	Jennifer Repella	Teresa Woorman
Tiffany Daniel	Joy Kroeger-Mappes	Anita Riley	Mary Wright
Greta Davis	Marcella Labellarte	Maria Roberts	
Paige Davis	Melissa Ladd	Veronica Roberts	
Ramonda Davis	Tatiana Levoné	By Robrtson	

*\*The names of individuals and organizational supporters may only support some components of the agenda that pertain to their mission and work.*



## 2024 Agenda Process and Bill Selection

In November, MLAW hosted its Fall Agenda Conference. Advocacy and women's groups were invited to present legislative initiatives for consideration. The criteria for initiatives to be presented at the conference were:

- Addresses an issue related to women's health, women's personal safety at home, in public, in school, and in the workplace; the ability to achieve and maintain economic independence; or freedom from discrimination in Maryland's economic, educational, judicial, political, and social system;
- Can be addressed through the legislation in the Maryland General Assembly;
- Has a reasonable chance to move successfully through the legislative process;
- Has an identifiable, sustainable lead group that can shepherd the bill.
- The lead group must:
  - Be a Maryland-based group or a national group with a strong on-the-ground presence in Maryland;
  - Have issue-area expertise and/or a track record of supporting legislation/advocacy in areas related to this proposal;
  - Have an identified representative who will be in regular contact with the MLAW Board of Directors about the progress of the legislation; and
  - Regularly provide legislative updates and supportive materials for MLAW to share with our members so that they can take action.

Last year we added a requirement that all legislative proposals submitted for consideration for the annual MLAW Legislative Agenda must include information about racial impact and be reviewed by the Board of Directors using a racial equity lens.

Following a successful conference, the Board of Directors met to review the legislation and ensure that it met the criteria. Bills that met the criteria were placed on a ballot, which was distributed to the MLAW membership. Members were asked to vote for the initiatives that would comprise the **2024 Maryland Legislative Agenda for Women**.



## Sexual Crimes – Criminal Law – Sexual Crimes - Definition of Consent and Repeal of Force

**Bill Numbers:** [HB496/SB758](#)

**One Sentence Synopsis:** This bill proposes a definition of “consent” under sex crimes laws and would strike “force or threat of force” as an element of second degree rape.

**Committees:** Senate Judicial Proceedings and House Judiciary

**Lead Senate Sponsor:** Senator Ariana Kelly

**Lead House Sponsor:** Delegate Emily Shetty and Delegate Elizabeth Embry

**Lead Group:** Maryland Coalition Against Sexual Assault (MCASA)

**Lead Group Contact:** Lisae C Jordan, Executive Director & Counsel, Email: [lcjordan@mcasa.org](mailto:lcjordan@mcasa.org)

### **Describe the problem:**

Sex without consent is not enough to prove rape under Maryland’s criminal law.

Maryland also requires proof of “force, or the threat of force”. Proof of “force” requires that the survivor tried to stop the rape. Proof of “threat of force” requires that the survivor feared bodily harm so much that she did not try to stop the rape.

Maryland’s rape law deprives many women and others of control over their own bodies.

Of all adult women residing in Maryland, 19%, or about 457,000 adult women, have experienced some form of completed or attempted rape in their lifetime. About 44%, or 1,058,000 of Maryland’s women, and more than 23% of Maryland’s men, about 520,800, have experienced other forms of sexual violence. (Bureau of Justice Statistics, Crime Victimization Survey, 1992-2015). Improving Maryland’s rape and sexual assault laws to give victim/survivors control over their own bodies will help all survivors and most survivors are women.

Maryland’s current law also contradicts what we teach students. Maryland enacted legislation to mandate consent education in 2018, including that consent means the unambiguous and voluntary agreement between all participants to engage in each physical act within the course of interpersonal relationships. Our criminal law requires more – effectively creating a duty to affirmatively refuse sex. This is effectively bait and switch – we teach our kids one thing and the criminal law requires something else.

Finally, Maryland’s current law fails to protect victims who freeze when faced with an assault. While a case can be prosecuted if the assailant takes action that a jury can find is objectively a threat to life or serious bodily harm, if a victim freezes up without that type of threat, the law fails them. Freezing is a physiological response and can be a result of things like child sexual abuse, being a victim of crime, or experiencing war.

### **Describe your proposed solution:**

This bill would change Maryland's sex crimes law by eliminating the elements of "force" or "threat of force" for rape and by defining "consent" for all sex crimes.

"Consent" would require clear and voluntary agreement and could be by words or conduct (affirmative consent is not proposed). The bill also clarifies that consent may be withdrawn, and that consent may not be constituted by a prior relationship by itself, or by manner of dress. Submission as a result of fear, threat, or coercion would not constitute consent. Documentation of consent explicitly would not be required.

Nearly 1 out of every 5 American women, 18 years or older, has been the victim of at least one attempted or completed rape in her lifetime. (National Intimate Partner and Sexual Violence Survey: 2015 Data Brief.) This bill will help empower survivors so the law reflects their experience and states clearly that sex without consent is rape.

### **Benefit to Communities of Color:**

Black and Indigenous women who are victims of sex crimes receive less police protection, less interventions, fewer prosecutions of their assaulter, and less assistance. The U.S. Department of Justice estimates that for every white woman that reports her rape, at least five white women do not report theirs; and yet, for every African-American woman that reports her rape, at least fifteen African-American women do not report theirs. Reporting Crime to the Police, 1992-2000, U.S. Department of Justice, Office of Justice Programs (March 2003), <https://static.prisonpolicy.org/scans/bjs/rcp00.pdf>. African American females experience intimate partner violence at a rate 35% higher than that of white females, and about 2.5 times the rate of women of other races, (Bureau of Justice Statistics, 2001). 48% of Latinas in one study reported that their partner's violence against them had increased since they immigrated to the US. (Dutton, Mary; Leslye Orloff, and Giselle Aguilar Hass. 2000, Characteristics of help-seeking behaviors, resources, and services needs of battered immigrant Latinas: Legal and Policy implications. Georgetown Journal on Poverty Law and Policy. 7(2) ). This bill will help reform a criminal justice system that fails women of color.



## Public Safety - Firearm Background Checks, Victim Notification, and the Maryland State Policy Gun Center

**Bill Numbers:** [HB869/SB753](#)

**One Sentence Synopsis:** This bill would require law enforcement and victim notification if a prohibited person attempts to purchase a firearm and fails the background check.

**Committees:** Senate Judicial Proceedings and House Judiciary

**Lead Senate Sponsor:** Senator Shelly Hettleman

**Lead House Sponsor:** Delegate Sandy Bartlett

**Lead Group:** Maryland Network Against Domestic Violence

**Lead Group Contact:** Melanie Shapiro, Public Policy Director, Email: [mshapiro@mnadv.org](mailto:mshapiro@mnadv.org)

### **Describe the problem:**

According to the National Instant Criminal Background Check (NICS) data there were over 3,800 federal denials for persons attempting to purchase a firearm that were prohibited by law from doing so. Maryland is a partial point of contact state for NICS checks. Therefore, in Maryland, the State Police handle background checks on handguns and assault-style weapons, while the FBI handles background checks for other long guns. It is imperative that there be laws and a process in place in Maryland for when a prohibited person attempts to lawfully purchase a firearm and fails a background check and that the victim be notified of the attempted purchase. The risk of homicide for women increases by 500% with the presence of a gun in the home. In Maryland, there were 56 domestic violence fatalities in 2022 and 75% of those deaths were caused by a firearm.

### **Describe your proposed solution:**

Maryland is an outlier since we are a partial point of contact state and conduct background checks on handguns and assault-style weapons but do not have a process or law in place for when a person fails a background check that ensures that local law enforcement and the victim is notified. This bill would establish a requirement and process for law enforcement and victim notification when a person fails a background check conducted by Maryland State Police. Notification of local law enforcement and victims creates an opportunity to intervene and prevent future violence. An individual becomes a prohibited person when they are the Respondent on a final protective order in Maryland. Most intimate partner homicides are committed with firearms and nationally an average of 70 women are shot and killed by an intimate partner a month. Establishing in statute notification requirements for local law enforcement and victim notification would save women's lives.

### **Benefit to Communities of Color:**

Women of all ages, races, and ethnic backgrounds are victims of intimate partner homicide, but young, racial/ethnic minority women are especially at risk and represent a disproportionate number of domestic violence homicides. The majority of domestic violence homicides of women are committed with a firearm. Preventing abusers from access to firearms and ensuring law enforcement and victims are notified when a domestic abuser attempts to purchase a firearm and fails a background check is the type of policy needed to reduce domestic violence homicides.



## Affirming the Federal Equal Rights Amendment

**Bill Numbers:** [HJ1/SJ1](#)

**One Sentence Synopsis:** This joint resolution expresses the sense of the Maryland Legislature that the federal article of amendment commonly known as the “Equal Rights Amendment” has met all Article V requirements for an amendment to the Constitution of the United States and is valid as the 28th Amendment to the Constitution of the United States and urges the President and Congress of the United States to affirm the validity of the Equal Rights Amendment and direct the Archivist of the United States to certify and publish the Equal Rights Amendment as the 28th Amendment without delay.

**Committees:** Senate Judicial Proceedings and House Rules

**Lead Senate Sponsor:** Senator Ariana Kelly

**Lead House Sponsor:** Delegate Edith Patterson

**Lead Group:** Maryland Chapter, National Organization for Women (Maryland NOW)

**Lead Group Contact:** Mary Ann Gorman, Equal Rights Amendment Task Force Chair, Maryland NOW, Email: [maryann.gorman@marylandnow.org](mailto:maryann.gorman@marylandnow.org)

### **Describe the problem:**

The federal Equal Rights Amendment is an amendment to the United States Constitution that prohibits discrimination based on sex. Without the federal Equal Rights Amendment, the United States Constitution does not prohibit discrimination based on sex. The United States Supreme Court emphasized this view in its recent *Dobbs* decision determining the 14th Amendment (which prior courts have ruled provided limited protections from sex discrimination) was not intended to apply to issues of sex discrimination – or to issues of contraception or same-sex marriage for that matter. The Equal Right Amendment not only restores these protections for women and LGBTQ+ individuals, but strengthens them.

Marylanders adopted a state-level equal rights amendment in our state constitution in 1972, protecting all Marylanders from discrimination based on sex. Absent the federal Equal Rights Amendment in the United States Constitution, Maryland’s state-level equal rights amendment can be overridden. In addition, state and federal laws advancing sex equality can be readily repealed or replaced, as we have seen recently with federal bills being introduced to prohibit abortion and court decisions prohibiting the sale of abortion medication.

The federal Equal Rights Amendment has met all requirements in the United States Constitution for an amendment having been passed by 2/3 of Congress in 1972 and fully ratified by ¾ of the states in 2020. It is the first fully ratified amendment not to be certified and published as part of the United States Constitution. This resolution reflects the decades-strong collective will of Marylanders for sex equality and sends a strong message to the federal government that, as a ratifying state, the Maryland Legislature expects its constitution powers in the amendment process and to be respected.

### **Describe your proposed solution:**

This resolution benefits women by sending a clear message to the federal government, other states, and Marylanders themselves that the Maryland Legislature views the federal Equal Rights Amendment as

part of the United States Constitution and enforceable as such. The federal Equal Rights Amendment benefits women by:

- making it easier for women who face discrimination on the basis of sex to seek legal recourse;
- giving the United States Congress greater power to enact laws that ensure adequate women's protection against sexual assault and domestic violence;
- preventing the United States Congress from enacting laws that curtail women's access to medical treatment and infringe upon their civil rights, thus protecting abortion, contraception, equal pay guarantees, no-fault divorce, gender affirming care, marriage equality and a host of other rights; and
- setting a clear expectation of sex equality in all aspects of life and making it a fundamental and irrevocable tenet of society.

Five states have passed resolutions to affirm the federal Equal Rights Amendment, and seven others have introduced such resolutions. According to constitutional law scholars, clear statements by state legislatures could have a strong impact on the final affirmation, certification, publication, and judicial backing of an amendment to the United States Constitution. Maryland women have historically benefited from and will continue to benefit from the leadership role of the Maryland Legislature in the fight for sex equality.

### **Benefit to Communities of Color:**

Constitutional equality on the basis of sex is a formally race-neutral idea, but it significantly uplifts communities of color due to the intersecting harms of race-based and sex-based discrimination. Certification and publication of the federal Equal Rights Amendment would have significant positive impacts for communities of color because the amendment would give advocates another powerful and lasting legal tool to address the harms caused by sex-based oppression, which we know are frequently compounded by discrimination based on a person's race. As an example of intersecting discrimination: regardless of their race, women are harmed by the gender pay gap, but study after study demonstrates that women of color and especially Black women face additional discrimination and related systemic barriers due to their race that ultimately reduce their wages further. The Equal Rights Amendment provides a federal constitutional lever that legal advocates could use to address the overlapping forms of discrimination that compound harms related to someone's sex, including racial discrimination.



## Residential Service Agencies - Reimbursement - Personal Assistance Services (Homecare Worker Rights Act of 2024)

**Bill Numbers:** [HB39/SB197](#)

**One Sentence Synopsis:** This bill will ensure that home care workers (84% of MD's home care workers are women) who work for agencies that receive Medicaid reimbursements are not misclassified as independent contractors and therefore are entitled to overtime, sick and safe leave, unemployment insurance, and workers' compensation.

**Committees:** Senate Finance, House Health and Government Operations

**Lead Senate Sponsor:** Senator Arthur Ellis

**Lead House Sponsor:** Delegate Robbyn Lewis

**Lead Group:** Public Justice Center

**Lead Group Contact:** David Rodwin, (410) 625-9409 extension 249, Email: [rodwind@publicjustice.org](mailto:rodwind@publicjustice.org)

### Describe the problem:

Many personal care aides who provide vital in-home care under Medicaid programs are misclassified as independent contractors, denying them access to the social safety net and reducing job quality when Maryland faces a shortage of these important workers. This large workforce consists of between 20,000 and 30,000 workers, who are vastly women -- about 90% are women and about 70% are Black. This majority women-of-color workforce deserves employee protections.

Currently, many of the agencies that employ these workers illegally misclassify them as independent contractors. When they are misclassified, they are cut out of the social safety net and lose protections like sick leave, workers' compensation, health insurance, and more -- and they face a higher "self-employment" tax when they should be getting a tax refund. Misclassification also hurts those they care for by shrinking the size of the workforce. And it hurts law-abiding RSAs by forcing them to compete on an uneven playing field with RSAs that save money by misclassifying their workers.

### Describe your proposed solution:

This bill is a simple fix for a serious problem. By requiring that their employing agencies properly classify their workers as employees in order to receive Medicaid reimbursements, this will improve the quality of these vital home care jobs.

Workers lose safety net protections when they are classified as independent contractors, and often cite lack of these benefits a reason for leaving the field of home care.

--Health insurance: Independent contractors do not get employer-based health insurance.

--Workers' compensation: Independent contractors do not have a right to workers' compensation if they are injured on the job. This is especially harmful for home care workers because workers often injure themselves lifting the people they care for.

--Sick and safe leave: Independent contractors do not have a right to sick and safe leave under the Maryland Healthy Working Families Act.



--Unemployment insurance benefits: Independent contractors cannot get unemployment benefits if they lose their job through no fault of their own.

--Paid family and medical leave: Independent contractors will generally not get paid family and medical leave through Maryland's new FAMILI Program.

By classifying these workers as the employees they are, they will receive all of these protections, which they should be receiving but are not due to illegal misclassification by their agencies.

This large workforce consists of between 20,000 and 30,000 workers, who are vastly women -- about 90% are women and about 70% are Black. This majority women-of-color workforce deserves employee protections and this bill will provide it.

**Benefit to Communities of Color:**

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## Dignity in Access to Health Facilities Act

**Bill Numbers:** HB\_\_\_\_/SB\_\_\_\_

**One Sentence Synopsis:** The Dignity in Access to Healthcare ActI creates a safe access zone around sexual and reproductive health clinics to protect patients, providers, and advocates from harassment and risk of physical harm.

**Committees:** Senate Judicial Proceedings and House Judiciary

**Lead Senate Sponsor:** TBD

**Lead House Sponsor:** Delegate Lesley Lopez

**Lead Group:** Pro-Choice Maryland

**Lead Group Contact:** Jennifer A. Mercer, Co-Chair, Pro-Choice Maryland Policy & Endorsement Committee, Email: jamercerlaw@gmail.com

### **Describe the problem:**

In the aftermath of Dobbs, anti-choice advocates have been successful in drastically reducing or eliminating access to abortion and other reproductive health care in many states, particularly in the Southeast. In Maryland we are rising to meet the challenge of providing access to sexual and reproductive health care to not only Maryland women, but people coming from all over the country. Just as people come here from all over seeking abortion care, so too will anti-choice advocates focus their efforts here as they work to eliminate abortion access elsewhere. All people seeking sexual and reproductive health services deserve the dignity of safe passage into our health care facilities. At present, Maryland law prohibits the obstruction of clinic entrances, but does not provide for any kind of safe access zone around them. Four other states have passed “bubble zone” laws that create a designated safe space around patients within a certain distance from clinic entrances and our bill will do the same. This safe access zone will reduce patient, clinic, and provider harassment and reduce the risk of physical harm.

### **Describe your proposed solution:**

By providing for a safe access zone around clinics, this bill will protect the rights of women and other people seeking access to sexual and reproductive health care to pass freely without harassment. People accessing sexual and reproductive health care are often subjected to protestors yelling at them, sometimes from within inches, and trying to dissuade them from accessing essential healthcare. They commonly do this with disinformation and signs displaying grotesque imagery that has been photoshopped to shock and terrorize patients. People seeking sexual and reproductive health care may have a variety of feelings about their experience, and as such can be vulnerable to the intimidation tactics of the anti-choice movement. Women benefit when they are able to access sexual and reproductive health care free of intimidation and judgment.

### **Benefit to Communities of Color:**

Yes. Communities of color, who face disparate health outcomes, are already in a disadvantaged position with respect to access to sexual and reproductive health care due to the effects of systemic racism. These include the locations of many facilities in predominantly-white areas, financial constraints related to the wealth gap, and mistrust of the medical profession (and gynecology in particular) due to its racist

history and their lived experiences of racism as patients. Furthermore, the maternal mortality rates of Black women are three to four times higher than those of white women, which makes it even more important that they be able to access sexual and reproductive healthcare with dignity. When people of color access reproductive health care, they deserve to do so free of intimidation from largely white anti-choice crowds.



## Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation

**Bill Numbers:** [HB482/SB398](#)

**One Sentence Synopsis:** This bill would require that non-fatal strangulation forensic examination expenses be paid for through the Criminal Injuries Compensation Board.

**Committees:** Senate Judicial Proceedings and House Judiciary

**Lead Senate Sponsor:** Senator William Folden

**Lead House Sponsor:** Delegate Karen Simpson

**Lead Group:** Maryland Network Against Domestic Violence

**Lead Group Contact:** Melanie Shapiro, Public Policy Director, Email: [mshapiro@mnadv.org](mailto:mshapiro@mnadv.org)

### **Describe the problem:**

Current law requires the reimbursement for forensic examinations and other eligible expenses including emergency medical treatment and follow-up care for injuries resulting from an alleged rape, sexual assault, or child sexual abuse. Existing law does not require the reimbursement for forensic examinations, emergency medical care, or other eligible expenses for survivors of nonfatal strangulation that did not result from an alleged rape, sexual offense, or sexual abuse. The ability to pay for a forensic evaluation or medical treatment should not be a deterrent for a survivor of a non-fatal strangulation if seeking medical care. A woman who has suffered a non-fatal strangulation incident with her intimate partner is 750% more likely to be killed by the same perpetrator.

### **Describe your proposed solution:**

Strangulation is an indicator of lethality in domestic violence. After a strangulation attempt there are numerous medical risks that must be evaluated by a medical provider since most are invisible injuries including damage to the interior neck anatomy, lack of oxygenation, and an increased risk for strokes that can last for months after the assault. Every survivor of strangulation should seek medical attention due to the many and possible fatal consequences. 1 in 4 women have been victims of severe physical violence, including strangulation, by an intimate partner in their lifetime. Expanding the existing reimbursement law for forensic exams to include non-fatal strangulation that did not result from an alleged rape, sexual offense, or sexual abuse could save women's lives by removing financial barriers to seeking medical treatment in the immediate aftermath of the violence. When women seek medical treatment, they can also be connected to services which can include safety planning and hopefully prevent a future domestic violence fatality.

### **Benefit to Communities of Color:**

Yes. Domestic violence disproportionately impacts the Black community, especially Black women. This disproportionality is supported by national and state statistics, including Maryland's domestic violence homicide report. According to this data, 57.8% of Maryland's domestic violence deaths in 2022 were Black women. With non-fatal strangulation dramatically increasing the risk of lethality we must ensure that survivors are not deterred from seeking medical care due to the cost of medical bills. By removing financial barriers to medical care following a non-fatal strangulation and requiring reimbursement more women will seek medical care and then be connected to services.



## Labor and Employment – Equal Pay for Equal Work - Wage Range Transparency

**Bill Numbers:** [HB649/SB525](#)

**One Sentence Synopsis:** This bill creates wage transparency by requiring employers to include pay ranges and a general description of benefits and other compensation in job postings, helping Maryland businesses attract and retain talent, save time and resources, and address the gender and racial/ethnic pay gap.

**Committees:** Senate Finance and House Economic Matters

**Lead Senate Sponsor:** Senator Ariana Kelly

**Lead House Sponsor:** Delegate Jennifer White Holland

**Lead Group:** Maryland Center on Economic Policy

**Lead Group Contact:** Kali Schumitz, Email: [kschumitz@mdeconomy.org](mailto:kschumitz@mdeconomy.org)

### **Describe the problem:**

This bill attempts to address pay inequities in the workplace. Women continue to make 78 cents for every dollar a white male makes. This inequity is significantly greater for women of color, where Black women make 67 cents and Latina women make 52 cents for every dollar a white male makes. To close the wage gap and advance gender parity in the workplace, wage transparency is a tool that benefits businesses and employees, especially women.

### **Describe your proposed solution:**

This bill requires an employer to disclose salary wages on job postings and expands the applicability, requirements, and penalties of the State's Equal Pay for Equal Work Law. This bill requires employers to set the wage range in good faith and prohibits an employer from taking certain retaliatory action. This will better position women to be informed about the negotiation context, specifically about pay ranges. As a result, gender differences in negotiation outcomes diminish. Pay transparency also increases wages for low-paid workers, who are disproportionately women. This saves women time and resources on where to apply and how to position themselves for success. Overall, wage transparency benefits women by closing gender and racial wage gaps.

### **Benefit to Communities of Color:**

Women of color continue to face gender inequities in the workplace and are significantly impacted by the gender and racial wage gap. According to National Women's Law Center, Black women who work full-time lose \$22,692 per year and over \$900,000 over their lifetime of work. For Latina women and other women of color, these yearly and lifetime losses are even greater. This wage transparency bill is a valuable tool that will address these losses, shift power, give women and their families what they need, and diminish the persistent wage gap that disproportionately impacts communities of color.



## Legally Protected Health Care – Gender-Affirming Treatment

**Bill Numbers:** [HB691](#)/[SB119](#)

**One Sentence Synopsis:** Extend current shielding protections that protect reproductive health care to cover gender-affirming care

**Committees:** Senate Finance, House Health and Government Operations

**Lead Senate Sponsor:** Senator Clarence Lam

**Lead House Sponsor:** Delegate David Moon

**Lead Group:** Trans Rights Advocacy Coalition

**Lead Group Contact:** Scott Tiffin, Chief of Staff to Senator Lam, Email: [clarence.lam@senate.state.md.us](mailto:clarence.lam@senate.state.md.us)

### **Describe the problem:**

There is a nationwide rise in threats against gender-affirming care (GAC) providers and patients just like the ones against abortion providers, coming from the same regressive, extremist forces that do not align with the values of a vast majority of Marylanders. As gender-affirming care becomes criminalized in other states, we can expect to see more out-of-state transgender patients traveling to Maryland for gender-affirming healthcare. Like abortion care, access to gender-affirming care touches on core issues of personal autonomy, and it is essential that we ensure that all Marylanders have a right to direct their healthcare.

Last year, with the assistance of MLAW, the MDGA passed shielding legislation for reproductive care providers (SB859/ HB808). That bill was a victory and a step in the right direction – however, the shield we handed our abortion care providers has holes in it. We aim to build upon last year’s great victory with our bill by extending those same protections to gender-affirming care providers and patients. Most abortion care providers in Maryland also provide gender-affirming care, and transgender people deserve access to lifesaving, medically necessary healthcare to be legally protected. When we protect reproductive care but not gender-affirming care, we’re still leaving abortion care providers at risk. This can reduce access to abortion in Maryland. The effects would be devastating, especially as we’re already facing a staffing crisis in healthcare.

In addition to going after providers and patients, there have been attempts in other states to prevent parents from being able to assist their children in accessing gender-affirming care. So, in addition to protecting women seeking care, it is imperative that Maryland protect mothers who are helping their children access essential health care.

### **Describe your proposed solution:**

Transgender women will have the legal protections they need to access lifesaving, medically necessary gender-affirming healthcare. gender-affirming care is critical and necessary for trans women because “passing” helps to vastly reduce the gender-based violence that targets trans women, improves mental health outcomes for trans women by reducing suicide rates and depression, and alleviates other types of discrimination.

With the passage of our bill, healthcare workers who provide gender-affirming care will be legally protected, which ensures they will be able to continue providing high-quality healthcare to all women and transgender people.

Governor Wes Moore issued an executive order protecting gender-affirming healthcare. This bill will legislatively codify and expand those protections. Codification is important because if a transphobic Governor is elected, they could easily rescind Governor Moore's executive order. Additionally, certain protections can only be provided via legislation. For example, shielding from Texas SB8 "bounty hunter" lawsuits require legislation.

**Benefit to Communities of Color:**

Yes. In Maryland, a majority of transgender people are people of color, and transgender people of color face greater barriers to receiving gender-affirming healthcare. This bill will remove some barriers by ensuring Trans People of Color have the legal right to seek this care. People of Color experience disproportionate criminalization and are targeted by police, making the legal protections for receiving or providing gender-affirming care especially important for transgender People of Color. Professional penalties by licensing boards are also likely to be disproportionately harsh on providers of color. Compared to white transgender people, transgender people of color are more likely to experience homelessness, experience sexual assault, and attempt suicide. Loss of access to care would disproportionately harm transgender people of color.



## Criminal Law - Sexual Solicitation of a Minor Through Child Pornography - Prohibition

**Bill Numbers:** [HB99/SB113](#)

**One Sentence Synopsis:** Expands Sexual Solicitation of a Minor to include Production of Child Pornography

**Committees:** Senate Judicial Proceedings, House Judiciary

**Lead Senate Sponsor:** Senator Arianna Kelly

**Lead House Sponsor:** Delegate Sandy Bartlett

**Lead Group:** Maryland State's Attorney's Association

**Lead Group Contact:** Joyce King, Email: [jking1@statesattorney.us](mailto:jking1@statesattorney.us)

### **Describe the problem:**

We now see the online sexual exploitation of female children has increased tremendously. The proliferation of phones and technology has moved predatory sexual offenders online. In 2022 alone, the National Center for Missing and Exploited Children received 32 million CyberTipline reports of suspected online child sexual abuse – this is a nearly 8,000% increase from 2012. Predators meet children online and ask them to produce sexual images and videos of themselves. Offenders send minors pornography, explicit instructions, and in some cases, they send sex toys for the minor to utilize in the photo and videos. This conduct is currently not prohibited in the current 3-324 statute.

### **Describe your proposed solution:**

Adding 11-207 Production of Child Pornography to the listed prohibited offenses in 3-324 Sexual Solicitation of a Minor will enable law enforcement to hold offenders accountable and protect female children that are being victimized online.

### **Benefit to Communities of Color:**

Online sexual exploitation of children occurs in rural, urban, and tribal areas, and impacts children of all races and socioeconomic statuses, and all ages, genders, and sexual orientations. However, evidence suggests children of color, LGBTQI+ children, and children from lower income families and communities are disproportionately affected by Online sexual exploitation of children.



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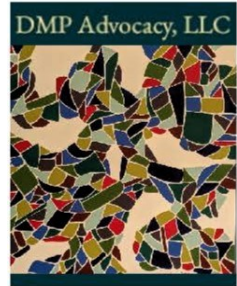
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