

Best Interest of the Child Factors When there is Child Abuse or Domestic Violence

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

Lead Legislative Sponsor – Senate: Senator Susan Lee

Lead Legislative Sponsor – House: Delegate Vanessa Atterbeary (tentative)

Lead Group: Secretary of State Address Confidentiality Program

Lead Group Contact: Brittany Lore, Brittany.Lore@maryland.gov

Describe the problem your bill attempts to address and how it relates to women:

The Courts are supposed to allow individuals access to justice, but for child custody disputes when there are allegations of child abuse or domestic violence, many victims are revictimized by the very institution designed to protect them. Across the county there is a growing problems with the acceptance of debunked junk science surrounding the Parental Alienation Syndrom. On top of that, judges are confused with existing Family Law Article 9-101, and fail to articulate what best interest of the child factors they weigh when they made rulings on child custody. In combination with the Daubret standard adoption, we must confront this space because the judiciary has no incentive for self examination.

Describe your proposed legislative solution and how it will benefit women:

Women will be better able to bring claims of abuse without fear that the very complaint to protect their child will be used against them during a custody proceeding. Judges apply the law improperly and pro se litigants have trouble with the common law best interest of the child standards. Codification of these standards and more clearly guiding judges and allow litigants to understand the proceedings and relevant factors. The articulation of the factors and application of the law should be paramount in this space that should be to protect women and children, not place them under increased stress and danger.

Provide a summary of your proposed legislation:

There is a legislative package of bills based off of the workgroup recently concluded in this area. The initial prefiled bill would clarify 9-101 of the family law article, and codify the best interest of the child factors.

Does your legislation benefit communities of color? If so, describe specifically how:

Not clear, but it would disporportionately harm vulnerable communities generally. Pro Se litigants should be able to better understand the relevant legal factors without having to sort through case law. There is likely a disparate impact on communities of color, with disparity of justice depending on wealth.

Continuing Course of Child Abuse as First Degree Child Abuse

Committee(s) bill is assigned to: House Judiciary

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Vanessa Atterbeary

Lead Group: Prince George's County State's Attorney's Office

Lead Group Contact: Kathryn Marsh, Assistant Chief Special Victim's Unit, kamarsh@co.pg.md.us

Describe the problem your bill attempts to address and how it relates to women:

Currently first degree child abuse requires death of the child or a serious physical injury which is defined as a brain injury, bleeding within the skull, substantial risk of death, disfigurement or the loss or impairment of a bodily organ. First degree child abuse does not cover children with numerous healing fractures, repeated abuse, some burns or other injuries often diagnosed by medical professionals as torture. Instead these repeated injuries can only be covered by 2nd child abuse which is not a crime of violence, maxes out at ten years which only requires a perpetrator to serve 1/4 of their sentence before they're eligible for parole. This puts a continued course of child abuse on par with misdemeanor second degree assault and does not provide the same needed protections to women and families.

Describe your proposed legislative solution and how it will benefit women:

By making a continuing course of child abuse part of the first degree child abuse statute, it makes the continued course of action a crime of violence providing stiffer penalties that will better protect women and families.

Provide a summary of your proposed legislation:

This bill adds a continuing course of physical child abuse to the statute for first degree child abuse.

Does your legislation benefit communities of color? If so, describe specifically how:

This legislation protects all of the State's most vulnerable victims, our children, of all races and nationalities.

Criminal Procedure - Sexual Offenders - Lifetime Supervision

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

Lead Legislative Sponsor – Senate: Senator Jack Bailey

Lead Legislative Sponsor – House: TBD

Lead Group: Child Justice Inc.

Lead Group Contact: Kathryn Marsh, Assistant Chief Special Victim's Unit, KAMarsh@co.pg.md.us

Describe the problem your bill attempts to address and how it relates to women:

Under current law, following the General Assembly's revision the sexual assault statutes in 2017, Lifetime Sexual Offender Supervision is available for any second degree rape, but is only available for two categories of Second Degree Sexual Assault. This bill was brought to our attention by a mother who encountered a situation relating to her teenage daughter where it was discovered that there were inadequate protections in these cases. The bill is intended to protect women and children from harm by repeat sexual offenders.

Describe your proposed legislative solution and how it will benefit women:

This bill will correct this unequal treatment that we believe was unintended and provide appropriate protection for others.

Provide a summary of your proposed legislation:

Requiring a sentence for certain persons convicted of certain sexual abuse crimes involving a child over the age of 12 years to include a term of lifetime sexual offender supervision; and providing for the prospective application of the Act.

Does your legislation benefit communities of color? If so, describe specifically how:

n/a

Eliminate Marriage as a Defense to Sex Crimes – Love is No Defense Act

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

Lead Legislative Sponsor – Senate: Senator Susan Lee

Lead Legislative Sponsor – House: Delegate Charlotte Crutchfield

Lead Group: Maryland Coalition Against Sexual Assault (MCASA)

Lead Group Contact: Lisae C Jordan, Executive Director & Counsel, lcjordan@mcasa.org

Describe the problem your bill attempts to address and how it relates to women:

This is a bill to repeal the current statute that makes marriage a defense to some sex crimes. Sexual Assault disproportionately affects women.

Like many states, Maryland's laws were based on the premise that marriage was consent to sex and that, therefore, a man could not rape his wife. Unlike many states, Maryland has not yet firmly rejected that antiquated and fundamentally disrespectful concept.

Describe your proposed legislative solution and how it will benefit women:

Criminal Law §3-318 provides that marriage is a defense to certain sex crimes. We have made some progress: Spouses can be prosecuted for any sex crime if they have a limited divorce. Additionally, if the parties have been separate and apart and "without cohabitation" (meaning without having sexual relations) and they have been separated for three months or have a written separation agreement, then they can be prosecuted for sex crimes that are not based on age or capacity. Finally, if the rape involved actual force or threat of force, marriage is not a defense. For other sex crimes, marriage is a complete defense. This bill repeals Criminal Law §3-318. Marriage should never be a defense to a sex crime.

Provide a summary of your proposed legislation:

A bill to repeal the law allowing marriage as a defense to sex crimes.

Does your legislation benefit communities of color? If so, describe specifically how:

Black and Indigenous women who are victims of sex crimes receive less police protection, less interventions, fewer prosecutions of their assaulter, and less assistance. 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.

Criminal Law - Law Enforcement Officers - Prohibition on Sexual Activity

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

Lead Legislative Sponsor – Senate: Senator Sarah Elfreth

Lead Legislative Sponsor – House: Delegate Nicole Williams

Lead Group: Maryland Coalition Against Sexual Assault

Lead Group Contact: Lisae C Jordan, Executive Director & Counsel, lcjordan@mcasa.org

Describe the problem your bill attempts to address and how it relates to women:

Law Enforcement Officers - Prohibition on Sexual Activity will benefit communities by giving them extra protection when engaging with the police. In Maryland, there have undocumented women of color who have been the victims of police sexual misconduct. However, these women have been afraid of press charges or file reports due to fear of being deported. We hope that with this legislation, those fears will be removed.

Describe your proposed legislative solution and how it will benefit women:

The bill will now make police sexual misconduct a misdemeanor with the possibility of additional fines. Now women who happen to undocumented, sex workers, or other persons afraid of retribution from the police can file a report on the said officer and not fear unattended consequences.

Provide a summary of your proposed legislation:

Prohibiting a law enforcement officer from engaging in certain sexual acts, sexual contact, or vaginal intercourse with a victim, witness, or suspect in an investigation during the course of an investigation that the officer is conducting, supervising, or assisting with, or with a certain person requesting assistance from or responding to the law enforcement officer in the course of the officer's official duties; and establishing a certain exception to the prohibition under certain circumstances.

Does your legislation benefit communities of color? If so, describe specifically how:

Sex workers, undocumented citizens, and women suffering at the hands of human trafficking have been anecdotally the prime victims of police sexual misconduct. Furthermore, those same women are disproportionately Women of Color. Many of these victims are afraid to step forward because they fear retribution from those in power in the form of jail time or deportation.

Pregnant Incarcerated Continuity of Care Act 2021

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

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Wanika Fisher

Lead Group: Reproductive Justice Inside/NARAL ProChoice MD

Lead Group Contact: Kimberly Haven, Project Director and Diana Philip, Executive Director,
kim@rjinside.org diana@prochoicemd.org

Describe the problem your bill attempts to address and how it relates to women:

The increase in the number of women who are entering our correctional facilities continues to rise and outpace that of men. This continues to hold true even during the current pandemic. This includes an alarming increase in the rate of women who are pregnant. These women generally will have had little to no access to health care prior to their intake and it is often during the intake process where some women will find out that they are pregnant. We know too that some these women will have a history of substance use. There have been countless studies find that women who use substances during pregnancy have elevated risk of early birth, babies with lower birth weights, and more problems during labor and delivery. Opioid withdrawal during pregnancy is associated with miscarriage, premature delivery, and other serious complications. These women will be released back into the community without any linkages to community-based healthcare for her pregnancy related healthcare or treatment which places her at increased risk for high risk pregnancy issues and relapse. This makes the continuity of pregnancy related healthcare a critical issue. As there is no way to practice safe-distancing, or properly sanitize common areas and surfaces, a lack of appropriate PPE and the issue that individuals are still in restrictive housing mode, this legislation is even more critical.

Describe your proposed legislative solution and how it will benefit women:

This legislation is a strong response to COVID and is a strategic effort to ensure good health outcomes for pregnant incarcerated individuals. Our proposed legislation will ensure that pregnant incarcerated individuals will be able to access critical pregnancy related healthcare and provided continuity of care in the community when she is released through a coordinated and implemented reentry and referral plan. This legislation presents an opportunity to allow proper assessment of anything that could contribute to a high risk pregnancy, such as substance use, mental health, HIV status, that receiving appropriate healthcare and assessment, no matter how long the period of confinement is, and coordination of continued care upon release will lead to improved pregnancy outcomes. This effort is good risk management for our correctional facilities and jurisdictions.

Provide a summary of your proposed legislation:

This bill will ensure that pregnant incarcerated women are provided and afforded continuity of pregnancy related healthcare, appropriate substance abuse and mental health treatment in the community through a coordinated reentry plan developed by correctional staff to include: social worker, health care provider, transition coordinator and/or case manager. This legislation will also serve to support the release of pregnant incarcerated individuals as a response to COVID in order to ensure good health outcomes

Does your legislation benefit communities of color? If so, describe specifically how:

This legislation will be a benefit to all pregnant incarcerated individuals however our prison and jail populations are over represented by individuals of color.

Public Schools - Provision of Menstrual Hygiene Products - Requirement

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

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Kirill Reznik

Lead Group: Menstrual Equity Alliance for Maryland Students, a project by NARAL Pro-Choice Maryland

Lead Group Contact: Diana Philip, Executive Director, diana@prochoicemd.org

Describe the problem your bill attempts to address and how it relates to women:

Period poverty, defined as the inability to access menstrual hygiene products, and the corresponding issue of period stigma are barriers to education for many Maryland students. Recent data has shown that low-income women are likely to be unable to afford menstrual hygiene products in the U.S. A 2019 report in the Journal of Obstetrics and Gynecology found that two-thirds of women living in poverty could not afford such products the previous year and one-fifth could not afford them on a monthly basis. The Maryland Department of Education reports that in 2019, 43.2% of Maryland public school students enrolled for free or reduced price meals, indicating that their families struggled to afford basic necessities and many of whom are students of menstruating age. Another recent study commissioned by Thinx and Period (a nonprofit fighting period poverty), found that 1 in 5 U.S. teens have struggled to afford period products or could not afford them at all. The same survey also found that 84% of students have missed class time or skipped school altogether due to a lack of access to menstrual hygiene products. Maryland passed a menstrual equity bill in 2017 for public school students experiencing housing instability, but the products are available only in school nurse offices, where distance and limited hours can create problems, as well as little awareness of the law.

Describe your proposed legislative solution and how it will benefit women:

The bill call for all public middle and high schools to install menstrual hygiene product dispensers in at least two restrooms in each building, and at least in one restroom in each elementary school by October 2021, and almost all restrooms by August 2025. Public schools will be required to install low cost, quality vending machines to supply maxi pads and tampons, free to students, with size-appropriate products. The legislation seeks to increase school attendance and extracurricular participation among menstruating students who lack access to such products, and decrease peer harassment that contributes to poor school climate.

Provide a summary of your proposed legislation:

Requires all public elementary, middle, and high schools to install menstrual hygiene product dispensers in restrooms over the next 5 year-period.

Does your legislation benefit communities of color? If so, describe specifically how:

Average age of menarche (first menstruation) is 12; today, anywhere from 30% – 50% of girls are getting their period before this age. Hispanic and African American girls menstruate before their white counterparts, on average and, generally, the age of menarche is continuing to decline. Access to menstrual hygiene products are a serious barrier to students' education and disproportionately impacts students of color from low-income families.

Smart Start Policy for Pregnant, Expectant, and Parenting Students

Committee(s) bill is assigned to: Senate Education, Health, and Environmental Affairs, House Ways and Means

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Michele Guyton

Lead Group: NARAL Pro-Choice Maryland

Lead Group Contact: Diana Philip, Executive Director, diana@prochoicemd.org

Describe the problem your bill attempts to address and how it relates to women:

Education is an essential component of reproductive justice, as well as an important factor in achieving economic security, enabling individuals to parent with dignity and in safety. Although youth who are pregnant, expectant, or parenting may not have all the resources to navigate new parenthood, schools can be key to providing critical assistance towards their educational success that contributes to economic survival. Under Title IX, “school push-out” and other discriminatory practices based on sex (which includes pregnant, expectant, and parenting students) are prohibited. However, too many of these students experience unwelcoming, inequitable, or stigmatizing school environments or discriminatory practices by school personnel. Research on secondary school environments note that 61% of female students who are pregnant, expectant, or parenting report having a school administrator or staff who offered support compared to 81% of their non-parenting peers. Schools may also deny students enrollment or create increased pressures on students to choose between education and caring for their children. While the passage of HB616 in 2017 establishing excused absences for pregnant and parenting students for medical and legal reasons, it is unknown if these policies are actively enforced and it appears that very little information is provided to these students about their overall rights. These practices ultimately harm students and prevent them from completing their education. Nationally, close to half of female dropouts and one-third of male dropouts say that becoming a parent was a factor in their decision to leave school. Additionally, young adults from 20 to 29 years of age who gave birth in their teens are less likely to hold a high school diploma or GED, relative to their peers who did not give birth. The inability to complete one’s education can trigger economic instability, which can continue to the next generation. Nearly two-thirds of families formed by teen mothers live in poverty, with nearly one in four enrolling in welfare benefits after the birth of the first child. It has also been found that two-thirds of children born to minor parents earn high school diplomas as compared to 81% of their peers. Lower graduation rates affect not only the individual wellbeing of these young parents, but also negatively affect our economy as opportunities for meaningful participation in the workforce is diminished.

Describe your proposed legislative solution and how it will benefit women:

This legislation seeks to help expectant and parenting students with supports to increase school enrollment and attendance by requiring appropriate school personnel to coordinate certain support services, including private and comfortable lactation spaces, affordable and appropriate childcare, reliable transportation options, and reasonable leave from class to accommodate lactation or childcare coordination needs. The bill does not call for the hiring of additional personnel or the creation of new services - only that coordination occur with the assistance of existing personnel to connect students

with available resources on campus or offsite in the community to prevent school "push out". Young women of school age who choose to begin childbearing should have the right to realize both their educational and parenting goals, and engage in the same learning opportunities and rigorous curriculum as their non-pregnant or non-parenting peers. The COVID-19 pandemic shed light not only on the lack of childcare resources across the state for working parents, but also showed how the rights of parenting students held no priority in any Maryland school district as they faced challenges of caring for their babies and toddlers while expected to participate in remote learning.

Provide a summary of your proposed legislation:

Requires public school personnel to assist pregnant, expectant, and parenting students with securing transportation, childcare, and lactation supports to encourage continued enrollment, increase school attendance, and improve educational outcomes.

Does your legislation benefit communities of color? If so, describe specifically how:

In 2017, approximately 750 youth age 17 and under gave birth in Maryland, with an additional 1,952 births for individuals between 18-19 years of age. While the national teen birthrate as of 2017 has fallen to 18.8 per 1000 women between ages 15-19, 11 counties in Maryland surpass the national average. In all Maryland counties, except Allegany, Hispanic or Black women ages 15-19 make up the greatest proportion of teen births.

Smart Start Data Marker - Maryland Longitudinal Data System - Pregnant, Expectant, and Parenting Students

Committee(s) bill is assigned to: Senate Education, Health, and Environmental Affairs, House Ways and Means

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Michele Guyton

Lead Group: NARAL Pro-Choice Maryland

Lead Group Contact: Diana Philip, Executive Director, diana@prochoicemd.org

Describe the problem your bill attempts to address and how it relates to women:

Nationally, close to half of female dropouts and one-third of male dropouts say that becoming a parent was a factor in their decision to leave school. Additionally, young adults from 20 to 29 years of age who gave birth in their teens are less likely to hold a high school diploma or GED, relative to their peers who did not give birth. The inability to complete one's education can trigger economic instability, which can continue to the next generation. Nearly two-thirds of families formed by teen mothers live in poverty, with nearly one in four enrolling in welfare benefits after the birth of the first child. It has also been found that two-thirds of children born to minor parents earn high school diplomas as compared to 81% of their peers. Lower graduation rates affect not only the individual wellbeing of these young parents, but also negatively affect our economy as opportunities for meaningful participation in the workforce is diminished. From 2014 through 2018, approximately 3,000 babies were born each year in Maryland to youth aged 19 and younger, with the majority of those having been school-age during pregnancy. Current systems for tracking student educational outcomes in Maryland may not record all instances of pregnant, expectant, and parenting student drop-out or push-out, as students may leave or relocate without informing school officials. In the 2017-18 academic year, the Maryland State Department of Education reported 49 students withdrew from school due to "pregnancy" or "parenting". Based on the state and county health data related to teen births these statistics grossly underrepresent the true number of students who dropped-out or were pushed out of school, as they only reflect formal withdrawal. Pregnant, expectant, and parenting students who do not provide a reason for leaving school may be categorized "whereabouts unknown", of which there were 4,876 students in the 2017-18 school year. Based on the dramatic discrepancy in data, it is clear that school systems are inadequately prepared to track this student population, and this raises concerns whether they are adequately addressing the needs of these youth. Under Title IX, "school push-out" and other discriminatory practices based on sex (which includes pregnant, expectant, and parenting students) are prohibited. However, too many of these students experience unwelcoming, inequitable, or stigmatizing school environments or discriminatory practices in their secondary public schools. Public educational data (Maryland Report Card) does not explicitly account for the educational outcomes of pregnant, expectant, and parenting students or the support services provided for such students, but does so for students utilizing various student assistance programs or marginalized groups (FARMS, 504, LEP, etc.). There is little to no aggregated data regarding the educational equity and status of pregnant, expectant, and parenting youth in Maryland. It is necessary to collect such information and track the outcomes of students in order to determine if Maryland schools are providing equitable educational environments and allowing these youth to obtain educational opportunities that will lead to economic security.

Although the need to support vulnerable or underserved student populations is highlighted as one of the key policy areas in the Kirwan Commission on Innovation and Excellence in Education 2019 Interim Report, pregnant, expectant, and parenting students were not mentioned, and not one provision about them was included in the 2020 Blueprint for Maryland's Future education reform bill.

Describe your proposed legislative solution and how it will benefit women:

This legislation aims to understand the breadth of educational outcomes for pregnant, expectant, and parenting students (PEPS) by requiring school districts to collect data over a three-year period. Five school districts in counties with the highest teen pregnancy rates will collect data on the educational outcomes, available support services, and challenges faced by PEPS. The school districts will work with the University of Maryland School of Social Work Institute for Innovation and Implementation, whose services will include data retrieval, analysis, reporting activities, management and analysis of the data, evaluation of and documentation of any school district professional development and policy changes, and reporting of findings. Data will be collected two times annually (beginning and end of year) to allow for examination of changes over time in response to increased professional development and state and local policy changes. An interim report will be created after July 2023 to indicate progress and initial findings, with a final report submitted by July 2024 to include final finding and recommendations for reform to improve educational outcomes. Methods and best practices related to data collection ensuring the privacy and wellbeing of pregnant, expectant, and parenting students will be advised and guided by the university researchers. Policy recommendations identifying ways to counter factors that contribute to school push out or student drop out should be informed by insight from current or recently pregnant, expectant, and parenting students. All stakeholders will reflect the racial, ethnic, cultural, and gender diversity of the state. The results of this study are also intended to guide the state in identifying appropriate processes in order to add data markers for pregnant, expectant, and parenting students into the Maryland Longitudinal Data System that seeks to track the overall outcomes of youth interacting within any of the state systems. We need real data collected using a sound methodology to convince the school districts that more common sense supports and resources are needed for these new mothers so that they can stay on track to graduate and realize both their educational and economic security goals.

Provide a summary of your proposed legislation:

This legislation seeks a 3-year study with the University of Maryland to better understand the breadth of challenges for pregnant, expectant, and parenting students (PEPS) by requiring school districts to collect data on their educational outcomes and barriers to success.

Does your legislation benefit communities of color? If so, describe specifically how:

In 2017, approximately 750 youth age 17 and under gave birth in Maryland, with an additional 1,952 births for individuals between 18-19 years of age. While the national teen birthrate as of 2017 has fallen to 18.8 per 1000 women between ages 15-19, 11 counties in Maryland surpass the national average. In all Maryland counties, except Allegany, Hispanic or Black women ages 15-19 make up the greatest proportion of teen births. We anticipate that with current education reform efforts to more accurately identify and meaningfully address racial and economic disparities, youth in communities of color that have begun to realize their family formation goals will benefit from having increased attention to both their challenges and successes, paving the way for more advancements and resources in their schools. The need to support vulnerable or underserved student populations is highlighted as one of the key policy areas of the Kirwan Commission. The PEPS population must be recognized as deserving of the state's investment to uphold their federally protected Title IX rights and enjoy the same educational opportunities and rigorous curriculum as their non-parenting peers.

Health Equity Resource Communities Act

Committee(s) bill is assigned to: TBD

Lead Legislative Sponsor – Senate: Senator Antonio Hayes

Lead Legislative Sponsor – House: Delegate Erek L. Barron

Lead Group: Maryland Citizens' Health Initiative

Lead Group Contact: Stephanie Klapper, Deputy Director, stephanie@healthcareforall.com

Describe the problem your bill attempts to address and how it relates to women:

Health inequities based on race, ethnicity, disability and place of residence persist throughout the state, as shown in maternal and infant mortality rates and other measures. Inequities are stark at the intersection of gender, race, and location. In Maryland, black mothers die due to pregnancy 4 times more than white mothers, with the disparity continuing to widen over time. The infant mortality rate for Black non-Hispanic infants is 2.5 times the rate for White non-Hispanic infants, with rates worse for rural black infants than urban black infants.

Describe your proposed legislative solution and how it will benefit women:

Health Equity Resource Communities would improve health equity, including for women. Communities would compete for grants, tax incentives, and health care provider loan repayment assistance to reduce disparities, including by race and gender, and improve health equity. Funding for the Communities, as well as programs to address substance use and mental health disorders, would come from a one penny per dollar increase in the state alcohol beverage sales tax starting in 2021. Unlike the Health Enterprise Zones pilot which ended after 5 years, money raised by the alcohol tax for the Health Equity Resource Communities would go directly into a dedicated fund for the program to help ensure longevity. This funding would also help create new mental health and substance use disorder programs. In addition to generating much needed funds, the tax itself will save lives and lower health care costs by reducing underage drinking, binge drinking, driving under the influence, and sexually transmitted infections, just like what happened after the last alcohol sales tax increase in 2011. Binge drinking comes with health risks and binge drinking rates are currently rising faster for women than men.

Provide a summary of your proposed legislation:

This legislation would create Health Equity Resource Communities which would be geographic locations in the state with poor health outcomes that compete for grants, tax incentives, and health care provider loan repayment assistance to increase access to culturally competent care and ultimately reduce health inequities; funding for the Communities, as well as programs to address substance use and mental health disorders, will come from a one penny per dollar increase in the state alcohol beverage sales tax starting in 2021.

Does your legislation benefit communities of color? If so, describe specifically how:

This proposal would improve health equity for communities of color. Stark health inequities by race and ethnicity persist, and have been further exposed by the COVID-19 pandemic. Black and Latino residents are dying from COVID-19 at higher rates than white residents. Even prior to the pandemic, inequities by race, ethnicity, and location were apparent. In Baltimore City life expectancy is roughly 20 years less for

people in certain West Baltimore ZIP codes compared to those living just a few miles away in more affluent, white areas, while rates of chronic disease and infant mortality are significantly higher for people of color. In Prince George's County, there was nearly a 16 year difference in life expectancy, with a concentration of poorer outcomes mostly in communities within the Beltway. For example, the life expectancy of predominantly Black Suitland is 70 years, compared to 86 years in predominantly White Greenbelt. This proposal would direct grants, tax incentives, and health care provider loan repayment assistance to communities that need them the most. Health equity resource communities would be modeled after the 2012-2016 Health Enterprise Zones Program which increased access to health resources, improved residents' health, reduced hospital admissions, and created cost savings. During that pilot, two of the communities were in areas that comprised primarily of people of color, and in three of the communities people of color were helped at higher rates than their makeup in the local population.

The “Time to Care Act” Labor and Employment - Family and Medical Leave Insurance Program – Establishment

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

Lead Legislative Sponsor – Senate: Senator Antonio Hayes

Lead Legislative Sponsor – House: Delegate Kris Valderrama

Lead Group: Maryland Family Network, on behalf of The Time to Care Coalition

Lead Group Contact: Clinton Macsherry, Director of Public Policy,
cmacsherry@marylandfamilynetwork.org

Describe the problem your bill attempts to address and how it relates to women:

Many Marylanders can't take time to care because they lack paid family leave. Only 17% of U.S. workers have access to paid family leave and fewer than 40% have paid personal leave for short-term disabilities. The Federal Family and Medical Leave Act (FMLA) provides unpaid leave and job protection to employees who work for businesses that employ 50 or more individuals who need to take up to 12 weeks of leave.

Unpaid leave forces too many Americans, especially those whose needs are the greatest, to choose between income and family when illness strikes, when new babies arrive, or when the needs of a family member with a disability intensify.

Families are dependent on working women. In Maryland, 79% of mothers are in the workforce. Nearly 25% of women take 10 or fewer days of parental leave, potentially putting themselves and their children at risk physically and emotionally. Both women and men are responsible for caregiving for elderly and ill relatives (although this burden disproportionately falls on women).

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 legislative solution and how it will benefit women:

The Time to Care Act establishes a Family and Medical Leave Insurance (FAMLI) program through which employees may take up to 12 weeks of paid leave from their jobs to care for new children, other family members with serious health conditions or disabilities, or themselves. New York, Washington, Rhode Island, New Jersey, Massachusetts, Washington D.C. and California have similar programs. Similar legislation was recently signed into law in Connecticut and Oregon. Here in Maryland, this concept builds on legislation that passed in the 2018 Session which established a parental leave benefit for state employees and the work of the Task Force to Study Family and Medical Leave Insurance. The Time to Care Act was introduced in 2019 as HB 341 and SB 500 and in 2020 as HB 839/SB 539 and was a priority on both the 2019 and 2020 MLAW Agendas.

Provide a summary of your proposed legislation:

This legislation would ensure Marylanders no longer have to choose between the job they need and the family they love by establishing a family and medical leave insurance fund to provide partial wage replacement for employees who take leave to care for a new child, a family member with a serious health condition, their own serious medical condition, or a family member's military deployment.

Does your legislation benefit communities of color? If so, describe specifically how:

A paid family and medical leave program can help alleviate some of the health and economic disparities many people of color face. People of color tend to receive lower quality health care services and experience worse health outcomes than white people, magnifying their need for paid family and medical leave. Racial disparities in access to wealth and wealth building are compounded by a lack of access to paid family and medical leave. Disparities in access to other economic supports make it more difficult for families of color to absorb the financial shock of a serious family or medical need. Women of color suffer most from the combination of these disparities and challenges.

Maryland Essential Worker Protections Act

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

Lead Legislative Sponsor – Senate: Senator Malcolm Augustine

Lead Legislative Sponsor – House: Delegate Dereck Davis

Lead Group: 1199seiu

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

Describe the problem your bill attempts to address and how it relates to women:

The problem this bill addresses are the challenges that essential workers are experiencing during the COVID 19 pandemic, the majority of whom are women. To date, essential workers have experienced unsafe working conditions where they have been physically harmed, loss of pay and benefits, health hazards, and unjust work orders. From COVID-19's inception, thousands of essential workers have also contracted this virus, and this bill not only provides protection to decrease the contraction rate, but it also provides other safeguards that give workers the confidence and security of knowing that they are not infecting their colleagues, family or community.

Describe your proposed legislative solution and how it will benefit women:

This bill will address various problems that have been experienced by essential workers due to the COVID-19 pandemic. If this bill is enacted, it will provide women with protections and procedures against unfair treatment by employers, including arbitrary retaliation. The protections in this bill will ensure better standards to have safe and healthy working conditions so women do not have to engage in unsafe work practices that put their lives in danger. It will allow women to receive pandemic pay and the opportunity to be covered by health insurance during pandemics. Workers need plans of action during pandemics and as such, this bill mandates that a fair plan be set in place so workers understand their responsibilities during this and any future pandemics.

For many women, pandemic and bereavement leave is also a big factor in order to care for their families and due to this, this bill ensures that workers are given leave to handle various severe circumstances. Last but certainly not least, this bill provides women the right to refuse dangerous work without retaliation if management encourages female essential workers to put their lives at risk. Conclusively, this bill provides workplace protections for essential workers to ensure that have safe working conditions during pandemics.

Provide a summary of your proposed legislation:

The Maryland Essential Worker Protections Act will provide essential workers with much needed protections in the workplace to ensure employee health and safety during pandemics.

Does your legislation benefit communities of color? If so, describe specifically how:

Yes, according to the Economic Policy Institute, most essential workers in the state of Maryland come from marginalized communities, are women, and are people of color. If this bill is passed, it will allow more people of color to work in safe conditions under pandemic circumstances. In action, this legislation will close many loopholes that have been exposed by this pandemic and unfortunately, have negatively impacted essential workers the most.

Self-Direction Act

Committee(s) bill is assigned to: House Health and Government Operations

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Karen Lewis Young

Lead Group: Self-Directed Advocacy Network

Lead Group Contact: Carol Custer, Secretary/Treasurer, carol@custerllc.com

Describe the problem your bill attempts to address and how it relates to women:

The National Center for Biotechnology Information has published numerous studies how women are predominantly the caregivers in household's with persons living with developmental disabilities. Much of this work is unpaid.

Describe your proposed legislative solution and how it will benefit women:

This bill will allow caregivers to receive payment for all of their work, and empower their family members living with developmental disabilities to more easily receive outside care which eases the burden on the household. Currently, caregivers can be paid for some care provided under certain DDA waivers, and this bill will ensure there are paid services that are available for all care under any DDA waiver. Medicaid pays for the services.

Provide a summary of your proposed legislation:

Empowers individuals living with developmental disabilities to direct their own care including reimbursing family for their time and care.

Does your legislation benefit communities of color? If so, describe specifically how:

Yes, according to the National Partnership for Women and Families, women of color makeup the majority of at home caregivers, and allowing these caregiver's to receive payment for all of their hard work would lower the burden on their families.

Act to Commemorate Women's Suffrage by Improving Access to the Ballot

Committee(s) bill is assigned to: Senate Education, Health, and Environmental Affairs, House Ways and Means

Lead Legislative Sponsor – Senate: TBD

Lead Legislative Sponsor – House: Delegate Karen Lewis Young

Lead Group: Frederick County Commission for Women

Lead Group Contact: Karen Czapanskiy, Co-Chair, Legislation Committee, Frederick County Commission for Women, karensyma@yahoo.com

Describe the problem your bill attempts to address and how it relates to women:

In 2020, Maryland was ranked 5th in the country in terms of the ease of voting. Nonetheless, according to the Board of Elections, only 41.71 of eligible voters turned out in 2016, and only 24.25% turned out in 2018. A few changes could improve turnout, which is particularly important for the lowest-turnout groups: young people and low-income, low-wealth citizens, Latinos and Latinas and Asian-Americans. Improving access to voting for these groups could increase support for initiatives that benefit women, such as paid family leave, improved public benefits and funding for education. The principal changes are expanding the number of days of early voting, the number of hours that polling places are open, making it easier to vote by mail in all elections, and creating voting centers where voters could vote regardless of where the voter lives.

Describe your proposed legislative solution and how it will benefit women:

The principal changes are expanding the number of days of early voting, the number of hours that polling places are open, making it easier to vote by mail in all elections, and creating voting centers where voters could vote regardless of where the voter lives. The Commission for Women supports these improvements to voting procedures, as encouraging more citizen engagement has historically meant increased support for initiatives that benefit women, such as paid family leave, improved public benefits, and funding for education. Further, between responsibilities at home and at work, women live extremely busy and sometimes unpredictable lives. Making voting easier for everyone increases opportunities for women to make their views known at the ballot box.

Finally, because women earn less than men and have more responsibility for caring for younger and older family members, many issues of importance to women involve financial security, education, public benefits and family leave. Similar problems affect young people and low-income, low-wealth voters, and people of color, regardless of sex. Making voting easier for members of those groups increases the likelihood that legislators will give their time and attention to their issues and improve the lives of all women.

We have discussed this legislation with several supportive members of the General Assembly, but we are still looking for someone to serve as lead sponsor of this bill in each chamber, given the unique nature of the upcoming legislative session.

Provide a summary of your proposed legislation:

The bill proposes a limited set of improvements to voting to make exercising the franchise easier and more accessible to everyone and helping all women, especially women of color, increase their influence in the legislative process.

Does your legislation benefit communities of color? If so, describe specifically how:

Voting rates in general do not vary depending on whether the voter is a member of a community of color or a white person, except among Latinos and Latinas who are eligible to vote. Nationally, in 2016, voting rates were 64.7% for Whites, 59.9% for Blacks but only 44.9% for Latinos and Latinas and only less than 50% for Asian-Americans. Because their rates of voting are lower, they may exert less influence in elections. If voting procedures were improved, their rates of participation could improve.