

SENATE BILL 1084

P1, O3

4lr3102
CF HB 1069

By: **Senator M. Washington**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 ~~State Government~~ **Commission Workgroup for the Deaf, Deafblind, and Hard**
3 **of Hearing – Established**

4 FOR the purpose of establishing the ~~Commission~~ Workgroup for the Deaf, Deafblind, and
5 Hard of Hearing ~~as an independent unit of State government to provide and advocate~~
6 ~~for accessible and comprehensive services, and foster inclusivity, equal~~
7 ~~opportunities, and improved quality of life, for~~ to study and make recommendations
8 regarding certain services, programs, advocacy, outreach efforts, and other items to
9 improve the quality of life of individuals who are deaf, deafblind, or hard of hearing;
10 and generally relating to the ~~Commission~~ Workgroup for the Deaf, Deafblind, and
11 Hard of Hearing.

12 ~~BY adding to~~
13 ~~Article – State Government~~
14 ~~Section 9-3801 through 9-3806 to be under the new subtitle “Subtitle 38:~~
15 ~~Commission for the Deaf, Deafblind, and Hard of Hearing”~~
16 ~~Annotated Code of Maryland~~
17 ~~(2021 Replacement Volume and 2023 Supplement)~~

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That ~~the Laws of Maryland read as follows:~~

20 ~~Article – State Government~~

21 ~~SUBTITLE 38. COMMISSION FOR THE DEAF, DEAFBLIND, AND HARD OF HEARING.~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~9-3801.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) "COMMISSION" MEANS THE COMMISSION FOR THE DEAF, DEAFBLIND, AND HARD OF HEARING.~~

~~(C) (1) "DEAF AND HARD OF HEARING INDIVIDUALS" MEANS INDIVIDUALS WHO ARE RESIDENTS OF THE STATE WHO HAVE PARTIAL OR COMPLETE LOSS OF HEARING.~~

~~(2) "DEAF AND HARD OF HEARING INDIVIDUALS" INCLUDES INDIVIDUALS WHO ARE:~~

~~(I) DEAF;~~

~~(II) DEAFBLIND;~~

~~(III) HARD OF HEARING; AND~~

~~(IV) LATE DEAFENED.~~

~~(D) "DEAF COMMUNITY" MEANS A CULTURAL MINORITY WITH DISTINCT MODES OF VISUAL OR TACTILE COMMUNICATION, LANGUAGES, OR SOCIAL MORES.~~

~~(E) "DEAF INDIVIDUAL" MEANS AN INDIVIDUAL WITH SEVERE, PROFOUND, OR COMPLETE ABSENCE OF LEVELS OF RESIDUAL HEARING, WHERE THE PRIMARY EFFECTIVE RECEPTIVE COMMUNICATION OR LANGUAGE MODE IS VISUAL, TACTILE, OR BOTH.~~

~~(F) "DEAFBLIND INDIVIDUAL" MEANS AN INDIVIDUAL WHO HAS A CONCOMITANT ABSENCE OF OR LIMITED LEVEL OF VISION AND HEARING.~~

~~(G) "HARD OF HEARING INDIVIDUAL" MEANS AN INDIVIDUAL WITH A LIMITED RESIDUAL HEARING LEVEL AND A HEARING LOSS IN AN INDIVIDUAL THAT RESULTS IN A FUNCTIONAL HEARING LOSS, BUT NOT TO THE EXTENT THAT THE INDIVIDUAL MUST DEPEND PRIMARILY ON VISUAL COMMUNICATION.~~

~~(H) "LATE DEAFENED INDIVIDUAL" MEANS AN INDIVIDUAL WHOSE ONSET OF HEARING LOSS OCCURS AFTER THE DEVELOPMENT OF SPEECH AND LANGUAGE AND MAY BE DEPENDENT ON VISUAL OR AUDITORY ENHANCEMENT MODES FOR COMMUNICATION.~~

~~9-3802.~~

~~(A) THERE IS A COMMISSION FOR THE DEAF, DEAFBLIND, AND HARD OF HEARING.~~

~~(B) THE COMMISSION IS AN INDEPENDENT UNIT OF STATE GOVERNMENT.~~

~~(C) THE PURPOSE OF THE COMMISSION IS TO PROVIDE AND ADVOCATE FOR ACCESSIBLE AND COMPREHENSIVE SERVICES, AND TO FOSTER INCLUSIVITY, EQUAL OPPORTUNITIES, AND IMPROVED QUALITY OF LIFE, FOR INDIVIDUALS WHO ARE DEAF, DEAFBLIND, OR HARD OF HEARING.~~

~~9-3803.~~

~~(A) THE COMMISSION CONSISTS OF:~~

~~(1) 1 MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(2) 1 MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE; AND~~

~~(3) 10 COMMUNITY REPRESENTATIVES OF STATE OR LOCAL NONPROFIT ORGANIZATIONS FOR DEAF INDIVIDUALS IN THE STATE OR THE WASHINGTON, D.C. METROPOLITAN AREA, APPOINTED BY THE GOVERNOR.~~

~~(B) TO THE EXTENT PRACTICABLE, WHEN APPOINTING MEMBERS TO THE COMMISSION, THE GOVERNOR SHALL ENSURE GEOGRAPHIC BALANCE AND PROMOTE RACIAL AND GENDER DIVERSITY IN THE COMMISSION'S MEMBERSHIP.~~

~~(C) EACH MEMBER OF THE COMMISSION SHALL BE A RESIDENT OF THE STATE.~~

~~(D) BEFORE SERVING ON THE COMMISSION, EACH MEMBER OF THE COMMISSION SHALL TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION.~~

~~(E) (1) THE TERM OF A MEMBER IS 2 YEARS.~~

~~(2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(3) A MEMBER MAY NOT SERVE FOR MORE THAN THREE CONSECUTIVE FULL TERMS.~~

~~(F) A MEMBER OF THE COMMISSION:~~

~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COMMISSION; BUT~~

~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

~~(G) THE COMMISSION SHALL MEET AT LEAST SIX TIMES A YEAR, AT THE TIMES AND PLACES THAT IT DETERMINES.~~

~~9-3804.~~

~~(A) THE HEAD OF THE COMMISSION IS THE EXECUTIVE DIRECTOR.~~

~~(B) THE EXECUTIVE DIRECTOR SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.~~

~~(C) THE EXECUTIVE DIRECTOR SHALL BE:~~

~~(1) A DEAF OR HARD OF HEARING INDIVIDUAL; AND~~

~~(2) KNOWLEDGEABLE AND EXPERIENCED WITH ISSUES AFFECTING DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS.~~

~~(D) THE EXECUTIVE DIRECTOR SHALL:~~

~~(1) MANAGE THE OPERATION OF THE COMMISSION; AND~~

~~(2) ESTABLISH GUIDELINES AND PROCEDURES TO PROMOTE THE ORDERLY AND EFFICIENT OPERATION OF THE COMMISSION.~~

~~(E) THE EXECUTIVE DIRECTOR IS ENTITLED TO:~~

~~(1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND~~

~~(2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

~~(F) THE EXECUTIVE DIRECTOR MAY HIRE ANY STAFF NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

~~9-3805.~~

~~(A) THE COMMISSION SHALL:~~

~~(1) PROVIDE DIRECT AND SPECIALIZED CASE MANAGEMENT SERVICES FOR DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS;~~

~~(2) DEVELOP AND ADMINISTER PROGRAMS THAT SUPPORT EDUCATIONAL, EMPLOYMENT, HEALTH, AND SOCIAL OPPORTUNITIES FOR DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS;~~

~~(3) ADVOCATE FOR POLICIES, PROGRAMS, AND LEGISLATIVE INITIATIVES THAT ADDRESS THE NEEDS OF, AND ISSUES AFFECTING, DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS;~~

~~(4) RAISE PUBLIC AWARENESS AND FOSTER UNDERSTANDING OF THE CHALLENGES ENCOUNTERED BY THE DEAF COMMUNITY;~~

~~(5) COORDINATE WITH OTHER STATE AGENCIES AND OTHERWISE USE THE RESOURCES OF THE STATE TO PROVIDE SPECIALIZED CASE MANAGEMENT SERVICES TO MEET THE NEEDS OF DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS;~~

~~(6) IDENTIFY BARRIERS AND GAPS IN COMMUNICATION ACCESS AND DEVELOP SOLUTIONS TO IMPROVE THE QUALITY OF LIFE FOR THE DEAF COMMUNITY;~~

~~(7) ENCOURAGE THE DEVELOPMENT OF ACTIVITIES TO ENHANCE CIVIC ENGAGEMENT BETWEEN DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS AND THE COMMUNITY; AND~~

~~(8) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

~~(B) ON OR BEFORE JULY 1, 2026, AND EACH JULY 1 THEREAFTER, THE COMMISSION SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY, A REPORT ON THE COMMISSION THAT INCLUDES:~~

~~(1) DATA RELATED TO THE SERVICES PROVIDED BY THE COMMISSION; AND~~

~~(2) ANY OTHER POLICY RECOMMENDATIONS THAT THE COMMISSION CONSIDERS NECESSARY TO ADDRESS ACCESSIBILITY OF SERVICES FOR DEAF, DEAFBLIND, AND HARD OF HEARING INDIVIDUALS.~~

~~9-3806.~~

~~(A) (1) THE COMMISSION MAY SEEK MONEY FROM THE FEDERAL GOVERNMENT, FOUNDATIONS, AND PRIVATE SOURCES, IN ADDITION TO STATE FINANCING.~~

~~(2) THE COMMISSION MAY ACCEPT GIFTS, GRANTS, DONATIONS, REQUESTS, OR ENDOWMENTS FOR ANY OF ITS PURPOSES.~~

~~(B) MONEY RECEIVED UNDER SUBSECTION (A) OF THIS SECTION AND INCOME AND FEES DERIVED FROM ACTIVITIES OF THE COMMISSION ARE NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(C) MONEY MAINTAINED BY THE COMMISSION UNDER THIS SECTION IS SUBJECT TO AUDIT BY THE STATE, INCLUDING THE LEGISLATIVE AUDITOR.~~

(a) There is a Workgroup for the Deaf, Deafblind, and Hard of Hearing.

(b) (1) The Workgroup consists of the following members:

(i) one member of the Senate of Maryland, appointed by the President of the Senate;

(ii) one member of the House of Delegates, appointed by the Speaker of the House;

(iii) the Director of the Office of the Deaf and Hard of Hearing, or the Director's designee; and

(iv) 10 community representatives of State or local nonprofit organizations for deaf, deafblind, and hard of hearing individuals in the State or the Washington, D.C. metropolitan area, appointed by the Governor.

(2) To the extent practicable, when appointing members to the Workgroup, the Governor shall ensure geographic balance and promote racial and gender diversity in the Workgroup's membership.

(c) The members of the Workgroup shall elect a chair from among the members of the Workgroup.

(d) The Office of the Deaf and Hard of Hearing shall provide staff for the Workgroup.

(e) The Workgroup shall:

(1) establish subcommittees as necessary to fulfill its duties; and

(2) assign members as necessary to assist in the research and preparation of the report submitted under subsection (h) of this section.

(f) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Workgroup shall study, assess, and make recommendations regarding:

(1) providing direct and specialized case management services for deaf, deafblind, and hard of hearing individuals;

(2) the development and administration of programs that support educational, employment, health, and social opportunities for deaf, deafblind, and hard of hearing individuals;

(3) advocacy for policies, programs, and legislative initiatives that address the needs of and issues affecting deaf, deafblind, and hard of hearing individuals;

(4) outreach efforts to raise public awareness and foster understanding of the challenges encountered by deaf, deafblind, and hard of hearing individuals;

(5) coordination with State agencies and utilization of State resources to provide specialized case management services to meet the needs of deaf, deafblind, and hard of hearing individuals;

(6) identification of barriers and gaps in communication access and development of solutions to improve the quality of life of deaf, deafblind, and hard of hearing individuals; and

(7) development of activities to enhance civic engagement between deaf, deafblind, and hard of hearing individuals and the community.

(h) On or before June 1, 2025, the Workgroup shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2024. It shall remain effective for a period of 2 years and, at the end of June

1 30, 2026, this Act, with no further action required by the General Assembly, shall be
2 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.