

SENATE BILL 346

P1
SB 748/22 – EHE

3lr0754
CF HB 260

By: **Senators King, Bailey, Brooks, Elfreth, Jackson, Klausmeier, Salling, and West**

Introduced and read first time: January 30, 2023

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2023

CHAPTER _____

1 AN ACT concerning

2 **Maryland Sign Language Interpreters Act**

3 FOR the purpose of establishing a licensing and regulatory system for sign language
4 interpreters under the State Board of Sign Language Interpreters in the Office of the
5 Deaf and Hard of Hearing; and generally relating to the licensing of sign language
6 interpreters and the State Board of Sign Language Interpreters.

7 BY renumbering

8 Article – State Government

9 Section 8–403(59) through (63)

10 to be Section 8–403(60) through (64), respectively

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2022 Supplement)

13 BY adding to

14 Article – State Government

15 Section 8–403(59); new part designation “Part I. Definitions” to immediately precede

16 Section 9–2401; new part designation “Part II. Office of the Deaf and Hard of

17 Hearing” to immediately precede Section 9–2402; and 9–2410 through 9–2435

18 to be under the new part “Part III. Sign Language Interpreters”

19 Annotated Code of Maryland

20 (2021 Replacement Volume and 2022 Supplement)

21 BY repealing and reenacting, with amendments,

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.



Article – State Government
Section 9–2401 ~~and~~, 9–2403, and 9–2407
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 8–403(59) through (63) of Article – State Government of the Annotated
Code of Maryland be renumbered to be Section(s) 8–403(60) through (64), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the new part designation
“Part II. Office of the Deaf and Hard of Hearing” be added to immediately precede Section
9–2402 of Article – State Government of the Annotated Code of Maryland.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – State Government

8–403.

This subtitle applies only to the following governmental activities and units:

**(59) SIGN LANGUAGE INTERPRETERS, STATE BOARD OF (§ 9–2410 OF
THIS ARTICLE);**

PART I. DEFINITIONS.

9–2401.

(a) In this subtitle the following words have the meanings indicated.

**(B) “AMERICAN SIGN LANGUAGE” MEANS A VISUAL–SPATIAL METHOD OF
COMMUNICATION THAT IS A DISTINCT LANGUAGE INVOLVING THE HANDS, ARMS,
FACIAL MARKERS, AND BODY MOVEMENTS TO COMMUNICATE WITH OTHERS,
INCLUDING THROUGH THE CONVEYANCE OF THOUGHTS, WORDS, EMOTIONS, AND
GRAMMATICAL INFORMATION.**

(C) “BEHAVIORAL HEALTH SETTING” MEANS A SETTING THAT PROVIDES:

(1) PSYCHIATRIC OR PSYCHOLOGICAL ASSESSMENT OR SCREENING;

**(2) GROUP OR INDIVIDUAL PSYCHOTHERAPY, COUNSELING, OR
TREATMENT; OR**

1 **(3) REHABILITATION SERVICES FOR SUBSTANCE USE DISORDERS,**
2 **ADDICTIVE DISORDERS, MENTAL DISORDERS, OR A COMBINATION OF THESE**
3 **DISORDERS.**

4 **(D) “BOARD” MEANS THE STATE BOARD OF SIGN LANGUAGE**
5 **INTERPRETERS WITHIN THE OFFICE.**

6 **[(b)] (E)** “Council” means the Maryland Advisory Council on Deaf and Hard of
7 Hearing Individuals.

8 **[(c)] (F)** (1) “Deaf and hard of hearing individuals” means those residents of
9 Maryland who have a partial or complete loss of hearing.

10 (2) “Deaf and hard of hearing individuals” includes individuals who are
11 deaf, hard of hearing, deafblind, and late–deafened.

12 **[(d)] (G)** “Deafblind” means those residents of Maryland who have concomitant
13 vision and hearing loss.

14 **[(e)] (H)** “Director” means the Director of the Office.

15 **(I) “FUND” MEANS THE SIGN LANGUAGE INTERPRETERS FUND.**

16 **(J) “HERITAGE SIGNER” MEANS AN INDIVIDUAL WHO USED AMERICAN**
17 **SIGN LANGUAGE AS A PRIMARY LANGUAGE IN CHILDHOOD.**

18 **(K) “LEGAL SETTING” INCLUDES:**

19 **(1) COURT PROCEEDINGS;**

20 **(2) ATTORNEY–CLIENT CONFERENCES;**

21 **(3) INVESTIGATIONS BY LAW ENFORCEMENT;**

22 **(4) DEPOSITIONS;**

23 **(5) WITNESS INTERVIEWS;**

24 **(6) REAL ESTATE SETTLEMENTS; AND**

25 **(7) ADMINISTRATIVE AND LEGISLATIVE HEARINGS.**

26 **(L) “LICENSE” MEANS A LICENSE ISSUED UNDER PART III OF THIS**
27 **SUBTITLE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES.**

(M) “MEDICAL SETTING” INCLUDES:

- (1) AN ACUTE CARE HOSPITAL;**
- (2) AN URGENT CARE CENTER;**
- (3) AN OUTPATIENT CLINIC;**
- (4) SHORT-TERM CARE FACILITIES;**
- (5) LONG-TERM CARE FACILITIES;**
- (6) A PHYSICIAN’S OFFICE; AND**
- (7) HOME HEALTH CARE.**

(N) “NATIONALLY OR REGIONALLY RECOGNIZED CERTIFICATION” MEANS:

(1) A CERTIFICATION ISSUED AND RECOGNIZED BY:

- (I) THE NATIONAL ASSOCIATION OF THE DEAF (NAD);**
- (II) THE REGISTRY OF INTERPRETERS FOR THE DEAF (RID);**
- (III) THE BOARD OF EVALUATION FOR INTERPRETERS (BEI);**

OR

OR

(2) ANY OTHER CERTIFICATION ISSUED BY A NATIONAL OR REGIONAL ORGANIZATION THAT IS RECOGNIZED BY THE BOARD.

[f] (O) “Office” means the Office of the Deaf and Hard of Hearing.

(P) (1) “PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES” MEANS TO CONVEY THE MEANING OF A MESSAGE THAT IS EXPRESSED IN:

(I) AN ORAL OR SIGNED LANGUAGE BY RENDERING THE MESSAGE IN AMERICAN SIGN LANGUAGE; OR

(II) AMERICAN SIGN LANGUAGE BY RENDERING THE MESSAGE IN AN ORAL OR SIGNED LANGUAGE.

(2) “PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES” INCLUDES PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES IN A VIDEO REMOTE INTERPRETING SETTING.

(Q) "RESTORATIVE JUSTICE PROGRAM" MEANS A PROGRAM DESIGNED TO REPAIR HARM CAUSED TO ALL INDIVIDUALS INVOLVED IN A CRIME THROUGH MEDIATION, DIALOGUE, OR GROUP CONFERENCING BETWEEN A LICENSEE AND ANY AGGRIEVED PARTY OR COMPLAINANT.

(R) "SCHOOL SETTING" MEANS A SETTING IN WHICH THE FOLLOWING ARE PROVIDED:

(1) EDUCATIONAL PROGRAMS OR SERVICES OFFERED BY A PUBLIC OR NONPUBLIC SCHOOL; OR

(2) CAREER TRAINING PROGRAMS FOR SECONDARY EDUCATION STUDENTS THAT ARE REGULATED BY THE STATE DEPARTMENT OF EDUCATION.

(S) "SIGN LANGUAGE INTERPRETER" MEANS AN INDIVIDUAL WHO IS LICENSED BY THE BOARD TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES.

(T) "VIDEO RELAY SERVICE" MEANS THE FEDERALLY REIMBURSED AND REGULATED PROGRAM ESTABLISHED TO ENABLE PHONE CALLS BETWEEN USERS OF AMERICAN SIGN LANGUAGE AND INDIVIDUALS WHO DO NOT USE AMERICAN SIGN LANGUAGE BY VIDEOCONFERENCING TECHNOLOGY AND THE USE OF THE SERVICES OF A REMOTELY LOCATED SIGN LANGUAGE INTERPRETER.

(U) (1) "VIDEO REMOTE INTERPRETING SETTING" MEANS PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES BY VIDEOCONFERENCING IN WHICH THE PARTICIPANTS ARE IN ONE LOCATION AND THE INTERPRETER IS IN A SEPARATE LOCATION.

(2) "VIDEO REMOTE INTERPRETING SETTING" DOES NOT INCLUDE VIDEO RELAY SERVICE.

9-2403.

(a) The Office shall be responsible for promoting the general welfare of deaf and hard of hearing individuals in the State.

(b) The responsibilities of the Office shall include:

(1) providing, advocating, and coordinating the adoption of public policies, regulations, and programs that will benefit deaf and hard of hearing individuals;

(2) improving access to communication and to existing services and programs for deaf and hard of hearing individuals;

(3) providing direct services to deaf and hard of hearing individuals as appropriate;

(4) increasing public awareness of the needs and issues affecting deaf and hard of hearing individuals;

(5) working with State and local agencies to ensure access for deaf and hard of hearing individuals to safety and emergency services;

(6) developing a referral service for deaf and hard of hearing individuals;

(7) serving as an information clearinghouse on the needs and issues affecting deaf and hard of hearing individuals;

(8) working to increase access for deaf and hard of hearing individuals to educational, health, and social opportunities;

(9) working with private organizations, the federal government, and other units of State government to promote economic development for deaf and hard of hearing individuals;

(10) working to eliminate the underemployment and unemployment of deaf and hard of hearing individuals;

(11) providing a network through which services provided by State and federal programs serving deaf and hard of hearing individuals can be channeled; [and]

(12) promoting compliance with State, local, and federal laws and policies protecting and serving deaf and hard of hearing individuals;

(13) PROVIDING APPROPRIATE STAFF TO ASSIST THE BOARD IN CARRYING OUT ITS DUTIES; AND

(14) PROVIDING A NOMINATION PROCESS FOR BOARD APPOINTMENTS.

(c) The Office shall hold at least two public town hall meetings each year to receive public comments on:

(1) the quality of State services and programs affecting deaf and hard of hearing individuals;

(2) the functions and operations of the Office; and

(3) any other issues that affect deaf and hard of hearing individuals, including those specified in subsection (b) of this section.

(d) The Office shall:

(1) help facilitate the appropriate delivery of State, local, and other public services to deaf and hard of hearing individuals;

(2) advise other units of State government and the General Assembly on the needs of deaf and hard of hearing individuals;

(3) subject to appropriations in the State budget, provide any reasonable resources that any other unit of State government requests to serve or assist deaf and hard of hearing individuals; and

(4) to the greatest extent possible, in order to avoid any duplication of effort, coordinate with other units of the State and the federal government the services provided to deaf and hard of hearing individuals.

9-2407.

On or before January 1, 2002, and annually thereafter, the Director shall submit to the Governor and, in accordance with § 2-1257 of this article, to the members of the General Assembly, a report on:

(1) the activities of the Office;

(2) the status of programs and services facilitated by the Office;

(3) THE ACTIVITIES OF THE BOARD, INCLUDING:

(I) THE NUMBER OF SIGN LANGUAGE INTERPRETERS LICENSED BY THE BOARD; AND

(II) THE NUMBER OF COMPLAINTS RECEIVED BY THE BOARD, DIFFERENTIATED BY THE TYPE OF COMPLAINT;

[(3)] (4) statistics on compliance with State and federal laws related to deaf and hard of hearing individuals; and

[(4)] (5) recommendations for improved delivery of services for deaf and hard of hearing individuals.

9-2408. RESERVED.

9-2409. RESERVED.

PART III. SIGN LANGUAGE INTERPRETERS.

1 **9-2410.**

2 **THERE IS A STATE BOARD OF SIGN LANGUAGE INTERPRETERS IN THE**
3 **OFFICE.**

4 **9-2411.**

5 **(A) (1) THE BOARD CONSISTS OF SEVEN MEMBERS APPOINTED BY THE**
6 **GOVERNOR.**

7 **(2) OF THE SEVEN MEMBERS:**

8 **(I) ONE SHALL BE A MEMBER OF THE MARYLAND ASSOCIATION**
9 **OF THE DEAF;**

10 **(II) ONE SHALL BE A DEAFBLIND INDIVIDUAL;**

11 **(III) ONE SHALL BE A MEMBER OF THE POTOMAC CHAPTER OF**
12 **THE REGISTRY OF THE INTERPRETERS FOR THE DEAF WHO HOLDS A LICENSE**
13 **UNDER THIS PART; AND**

14 **(IV) FOUR SHALL BE DETERMINED BY THE BOARD BY**
15 **REGULATION.**

16 **(3) (I) THE GOVERNOR SHALL APPOINT THE MEMBERS FROM A**
17 **LIST OF NAMES SUBMITTED FROM A NOMINATION PROCESS ESTABLISHED BY THE**
18 **OFFICE.**

19 **(II) TO THE EXTENT PRACTICABLE, THE MEMBERS APPOINTED**
20 **UNDER THIS SECTION SHALL REFLECT THE RACIAL AND GEOGRAPHIC DIVERSITY OF**
21 **THE STATE.**

22 **(B) EACH MEMBER SHALL:**

23 **(1) BE A RESIDENT OF THE STATE; AND**

24 **(2) BE PROFICIENT IN AMERICAN SIGN LANGUAGE.**

25 **(C) BEFORE TAKING OFFICE, EACH MEMBER APPOINTED TO THE BOARD**
26 **SHALL TAKE THE OATH OR AFFIRMATION REQUIRED BY ARTICLE I, § 9 OF THE**
27 **MARYLAND CONSTITUTION.**

28 **(D) (1) THE TERM OF A BOARD MEMBER IS 2 YEARS, BEGINNING ON THE**
29 **DATE OF APPOINTMENT.**

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

3 **(3) A MEMBER APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY**
4 **FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND**
5 **QUALIFIES.**

6 **(4) A MEMBER MAY NOT SERVE MORE THAN THREE CONSECUTIVE**
7 **FULL TERMS.**

8 **(E) (1) THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE,**
9 **MISCONDUCT, NEGLECT OF DUTIES, OR OTHER SUFFICIENT CAUSE.**

10 **(2) THE GOVERNOR SHALL REMOVE A MEMBER WHO:**

11 **(I) CEASES TO MEET THE REQUIREMENTS UNDER WHICH THE**
12 **MEMBER WAS APPOINTED UNDER SUBSECTION (A) OF THIS SECTION; OR**

13 **(II) FAILS TO ATTEND AT LEAST 50% OF THE REGULARLY**
14 **SCHEDULED MEETINGS OF THE BOARD DURING ANY 12-MONTH PERIOD.**

15 **9-2412.**

16 **(A) (1) THE BOARD SHALL ELECT THE CHAIR FROM AMONG ITS**
17 **MEMBERS.**

18 **(2) THE TERM OF THE CHAIR IS 2 YEARS.**

19 **(B) (1) THE BOARD SHALL MEET AT LEAST ONCE EACH QUARTER AT THE**
20 **TIMES AND PLACES SET BY THE BOARD.**

21 **(2) THE BOARD MAY CALL SPECIAL MEETINGS AT THE REQUEST OF:**

22 **(I) THE CHAIR;**

23 **(II) THE DIRECTOR; OR**

24 **(III) A MAJORITY OF THE MEMBERS OF THE BOARD.**

25 **(C) A MAJORITY OF THE MEMBERS THEN SERVING ON THE BOARD IS A**
26 **QUORUM.**

27 **(D) A MEMBER OF THE BOARD:**

1 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;
2 BUT

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

5 9-2413.

6 TO ENFORCE THE PROVISIONS OF THIS PART, THE BOARD MAY:

7 (1) IN CONSULTATION WITH THE OFFICE, CONDUCT INVESTIGATIONS
8 AND HOLD HEARINGS ON ANY MATTER COVERED BY THIS TITLE, AT ANY TIME AND
9 PLACE IN THE STATE;

10 (2) ADMINISTER OATHS;

11 (3) EXAMINE WITNESSES; AND

12 (4) RECEIVE EVIDENCE.

13 9-2414.

14 (A) THE BOARD SHALL:

15 (1) LICENSE QUALIFIED INDIVIDUALS TO PROVIDE SIGN LANGUAGE
16 INTERPRETATION SERVICES;

17 (2) ON OR BEFORE JULY 1, 2024, ESTABLISH AND PUBLISH
18 LICENSING REQUIREMENTS FOR SIGN LANGUAGE INTERPRETING IN ALL SETTINGS;

19 (3) PROVIDE TECHNICAL ASSISTANCE TO LICENSE APPLICANTS AND
20 OTHER INTERESTED PERSONS;

21 (4) PROMOTE THE PROFESSION OF SIGN LANGUAGE INTERPRETING,
22 INCLUDING PROVIDING WORKSHOPS AND TRAININGS TO RAISE PUBLIC AWARENESS
23 AND TO FACILITATE PROFESSIONAL DEVELOPMENT; AND

24 (5) PERFORM ANY OTHER DUTIES ASSIGNED BY THE DIRECTOR.

25 (B) IN ADDITION TO ANY DUTIES SET FORTH ELSEWHERE IN THIS SUBTITLE
26 AND WITH THE SUPPORT OF THE OFFICE, THE BOARD SHALL:

27 (1) ADMINISTER THE PROVISIONS OF THIS PART;

28 (2) ADOPT BYLAWS FOR THE CONDUCT OF ITS PROCEEDINGS;

1 **(3) ADOPT A SEAL;**

2 **(4) KEEP A RECORD OF ITS PROCEEDINGS;**

3 **(5) KEEP A FILE ON EACH APPLICANT FOR A LICENSE;**

4 **(6) ESTABLISH A VISITING SIGN LANGUAGE INTERPRETER REGISTRY;**

5 **(7) DEVELOP AND MAINTAIN A WEBSITE THAT SHALL INCLUDE:**

6 **(I) A PORTAL TO ACCEPT LICENSE APPLICATIONS AND**
7 **RELATED DOCUMENTATION, COMPLAINTS, AND REGISTRATIONS OF VISITING SIGN**
8 **LANGUAGE INTERPRETERS; AND**

9 **(II) A PUBLICLY SEARCHABLE DATABASE OF SIGN LANGUAGE**
10 **INTERPRETERS; AND**

11 **(8) REASONABLY SEEK ADDITIONAL FUNDING SOURCES.**

12 **(C) IN ADDITION TO ANY POWERS SET FORTH ELSEWHERE, THE BOARD MAY**
13 **ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS PART.**

14 **9-2415.**

15 **(A) THE BOARD MAY ESTABLISH CRITERIA FOR THE DEVELOPMENT OF**
16 **PORTFOLIOS AND SEPARATE REQUIREMENTS IN THE FOLLOWING SPECIALIST**
17 **AREAS:**

18 **(1) LEGAL SETTINGS;**

19 **(2) MEDICAL SETTINGS;**

20 **(3) BEHAVIORAL HEALTH SETTINGS;**

21 **(4) LANGUAGE PAIRS OTHER THAN AMERICAN SIGN LANGUAGE AND**
22 **SPOKEN ENGLISH;**

23 **(5) CONFERENCE INTERPRETING;**

24 **(6) TACTILE AND LOW-VISION SIGN LANGUAGE INTERPRETATION**
25 **SERVICES;**

26 **(7) INTRALINGUISTIC TRANSLATIONS AND SIGN LANGUAGE**
27 **INTERPRETATION; AND**

1 (8) ANY OTHER SPECIALIST AREAS DETERMINED TO BE NECESSARY
2 BY THE BOARD.

3 (B) THE BOARD SHALL ADOPT REGULATIONS TO:

4 (1) GOVERN SIGN LANGUAGE INTERPRETATION SERVICES PROVIDED
5 IN A VIDEO REMOTE INTERPRETING SETTING;

6 (2) ESTABLISH LICENSING AND CERTIFICATION STANDARDS OF
7 INTERPRETING AGENCIES THAT DO BUSINESS IN THE STATE;

8 (3) ALLOW DEAF AND HARD OF HEARING INDIVIDUALS TO
9 DETERMINE WHETHER THEY PREFER SIGN LANGUAGE INTERPRETATION SERVICES
10 BEING PROVIDED IN A VIDEO REMOTE INTERPRETING SETTING OR THROUGH
11 IN-PERSON INTERPRETING; AND

12 (4) PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN A VIDEO
13 REMOTE INTERPRETING SETTING.

14 9-2416.

15 (A) THERE IS A SIGN LANGUAGE INTERPRETERS FUND.

16 (B) THE BOARD SHALL SET BY REGULATION REASONABLE FEES FOR THE
17 ISSUANCE AND RENEWAL OF LICENSES AND OTHER SERVICES.

18 (C) THE BOARD SHALL PUBLISH IN ITS RULES AND REGULATIONS THE FEE
19 SCHEDULE SET BY THE BOARD.

20 (D) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS PART
21 TO THE COMPTROLLER.

22 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

23 (E) THE FUND SHALL BE USED EXCLUSIVELY TO COVER THE ACTUAL
24 DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND
25 REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS
26 PART, INCLUDING:

27 (1) THE DEVELOPMENT OF PROGRAMS THAT WILL ASSIST IN THE
28 LICENSURE OF MARGINALIZED INTERPRETERS, INCLUDING:

1 (I) BLACK, INDIGENOUS, OR PERSONS OF COLOR (BIPOC)
2 SIGNERS;

3 (II) HERITAGE SIGNERS; AND

4 (III) DEAF INDIVIDUALS;

5 (2) THE DEVELOPMENT OF MENTORSHIP PROGRAMS FOR
6 INDIVIDUALS WHO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES; AND

7 (3) APPLICANTS EXPERIENCING FINANCIAL HARDSHIP IN THE
8 PAYMENT OF LICENSING FEES.

9 (F) THE DIRECTOR SHALL ADMINISTER THE FUND.

10 (G) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
11 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

12 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
13 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

14 (H) THE FUND CONSISTS OF:

15 (1) REVENUE DISTRIBUTED TO THE FUND UNDER SUBSECTION (B) OF
16 THIS SECTION;

17 (2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;
18 AND

19 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
20 THE BENEFIT OF THE FUND.

21 (I) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
22 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

23 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED
24 TO THE GENERAL FUND OF THE STATE.

25 (J) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
26 WITH THE STATE BUDGET.

27 9-2417.

28 THE BOARD EXERCISES ITS POWERS, DUTIES, AND FUNCTIONS SUBJECT TO
29 THE AUTHORITY OF THE GOVERNOR.

1 **9-2418.**

2 **(A) EXCEPT AS OTHERWISE PROVIDED IN THIS PART, AN INDIVIDUAL MUST**
3 **BE LICENSED BY THE BOARD BEFORE THE INDIVIDUAL MAY:**

4 **(1) PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE**
5 **STATE; OR**

6 **(2) REPRESENT TO THE PUBLIC, BY DESCRIPTION OF SERVICES OR**
7 **USE OF A TITLE OR DESIGNATION, THAT THE INDIVIDUAL IS AUTHORIZED TO**
8 **PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE STATE.**

9 **(B) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO:**

10 **(1) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES AS PART**
11 **OF A SUPERVISED INTERNSHIP OR PRACTICUM FOR AN ACCREDITED INSTITUTION**
12 **OF HIGHER EDUCATION AND DOES NOT PROVIDE SIGN LANGUAGE INTERPRETATION**
13 **SERVICES IN THE FOLLOWING SETTINGS:**

14 **(I) A BEHAVIORAL HEALTH SETTING, UNLESS THE INDIVIDUAL**
15 **IS ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER;**

16 **(II) AN EMERGENCY MEDICAL SETTING, UNLESS THE**
17 **INDIVIDUAL IS ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER;**

18 **(III) A LEGAL SETTING; OR**

19 **(IV) A SCHOOL SETTING, UNLESS THE INDIVIDUAL IS**
20 **ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER;**

21 **(2) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES AS PART**
22 **OF A VIDEO RELAY SERVICE;**

23 **(3) HOLDS A NATIONALLY OR REGIONALLY RECOGNIZED**
24 **CERTIFICATION IN SIGN LANGUAGE INTERPRETING AND DOES NOT PROVIDE SIGN**
25 **LANGUAGE INTERPRETATION SERVICES IN THE STATE FOR MORE THAN 80 HOURS**
26 **EACH CALENDAR YEAR, IF THE INDIVIDUAL:**

27 **(I) SELF-CERTIFIES ELIGIBILITY FOR THIS EXEMPTION;**

28 **(II) NOTIFIES THE BOARD OF EACH SIGN LANGUAGE**
29 **INTERPRETING ASSIGNMENT WITHIN 10 DAYS AFTER COMPLETING THE**
30 **ASSIGNMENT; AND**

(III) SATISFIES ANY OTHER CRITERIA ESTABLISHED BY THE
BOARD;

(4) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES AS AN
UNCOMPENSATED VOLUNTEER AND IN A SETTING IN WHICH A SIGN LANGUAGE
INTERPRETER IS NOT OTHERWISE REQUIRED BY LAW;

(5) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES TO
PREVENT UNDUE HARM IN THE EVENT OF AN EMERGENCY UNTIL A LICENSED SIGN
LANGUAGE INTERPRETER BECOMES AVAILABLE; OR

(6) INTERPRETS BETWEEN A PAIR OF SIGN LANGUAGES FOR WHICH
THERE IS NO NATIONALLY OR REGIONALLY RECOGNIZED CERTIFICATION.

9-2419.

AN APPLICANT SHALL SUBMIT TO THE BOARD:

(1) A COMPLETED APPLICATION ON THE FORM PROVIDED BY THE
BOARD;

(2) PAYMENT OF A NONREFUNDABLE APPLICATION FEE SET BY THE
BOARD;

(3) PROOF OF A VALID NATIONALLY OR REGIONALLY RECOGNIZED
CERTIFICATION OR OTHER CERTIFICATION APPROVED BY THE BOARD; AND

(4) DOCUMENTATION OF SATISFACTORY COMPLETION OF ANY OTHER
QUALIFICATIONS ESTABLISHED BY THE BOARD.

9-2420.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY
WAIVE ANY REQUIREMENT OF THIS PART FOR AN APPLICANT WHO IS LICENSED TO
PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN ANOTHER STATE.

(B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE
APPLICANT:

(1) PAYS TO THE BOARD:

(I) THE NONREFUNDABLE APPLICATION FEE SET BY THE
BOARD; AND

1 **(II) THE LICENSE FEE SET BY THE BOARD; AND**

2 **(2) PROVIDES SATISFACTORY EVIDENCE THAT, AT THE TIME THE**
3 **APPLICANT WAS LICENSED IN THE OTHER STATE, THE APPLICANT WAS REQUIRED**
4 **TO MEET THE QUALIFICATIONS FOR LICENSURE THAT WERE SUBSTANTIALLY**
5 **EQUIVALENT TO THE QUALIFICATIONS IN THE STATE.**

6 **(C) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE**
7 **STATE IN WHICH THE APPLICANT IS LICENSED WAIVES THE QUALIFICATIONS OF**
8 **LICENSEES OF THE STATE TO A SIMILAR EXTENT AS THE STATE WAIVES THE**
9 **QUALIFICATION REQUIREMENTS FOR INDIVIDUALS LICENSED IN THAT STATE.**

10 **9-2421.**

11 **(A) IF AN APPLICANT QUALIFIES FOR A LICENSE UNDER THIS PART, THE**
12 **BOARD SHALL SEND THE APPLICANT A NOTICE THAT STATES THAT:**

13 **(1) THE APPLICANT HAS QUALIFIED FOR A LICENSE; AND**

14 **(2) ON RECEIPT OF THE LICENSE FEE SET BY THE BOARD, THE BOARD**
15 **WILL ISSUE A LICENSE TO THE APPLICANT.**

16 **(B) ON PAYMENT OF THE LICENSE FEE, THE BOARD SHALL ISSUE A LICENSE**
17 **TO EACH APPLICANT WHO MEETS THE REQUIREMENTS OF THIS PART.**

18 **(C) A LICENSE ISSUED UNDER THIS SECTION IS NONTRANSFERABLE.**

19 **(D) A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF ANY CHANGE IN**
20 **THE LICENSEE'S NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE.**

21 **9-2422.**

22 **WHILE A LICENSE IS IN EFFECT, IT AUTHORIZES THE LICENSEE TO PROVIDE**
23 **SIGN LANGUAGE INTERPRETATION SERVICES WITHIN THE SCOPE OF:**

24 **(1) THE NATIONALLY OR REGIONALLY RECOGNIZED CERTIFICATION**
25 **OR OTHER APPROVED CERTIFICATION HELD BY THE LICENSEE; OR**

26 **(2) ANY OTHER LIMITATIONS DETERMINED BY THE BOARD ON THE**
27 **LICENSE.**

28 **9-2423.**

1 **(A) UNLESS RENEWED BY A LICENSEE, A LICENSE EXPIRES ON THE DATE**
2 **SET BY THE BOARD.**

3 **(B) BEFORE A LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY**
4 **RENEW THE LICENSE FOR AN ADDITIONAL TERM, IF THE LICENSEE:**

5 **(1) OTHERWISE IS ENTITLED TO BE LICENSED;**

6 **(2) PAYS TO THE BOARD THE LICENSE FEE SET BY THE BOARD; AND**

7 **(3) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM**
8 **THAT THE BOARD PROVIDES.**

9 **(C) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE WHO**
10 **MEETS THE REQUIREMENTS OF THIS SECTION.**

11 **(D) THE BOARD MAY ADOPT REGULATIONS TO REQUIRE A LICENSEE TO**
12 **DEMONSTRATE CONTINUING PROFESSIONAL COMPETENCY AS A CONDITION OF**
13 **RENEWAL.**

14 **9-2424.**

15 **THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL WHO FOR ANY**
16 **REASON HAS FAILED TO RENEW THE LICENSE IF THE INDIVIDUAL:**

17 **(1) APPLIES TO THE BOARD FOR REINSTATEMENT OF THE LICENSE**
18 **WITHIN THE PERIOD OF TIME ESTABLISHED BY THE BOARD;**

19 **(2) MEETS THE RENEWAL REQUIREMENTS OF § 9-2423 OF THIS**
20 **SUBTITLE; AND**

21 **(3) PAYS TO THE BOARD THE RENEWAL FEE AND THE**
22 **REINSTATEMENT FEE SET BY THE BOARD.**

23 **9-2425.**

24 **(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL**
25 **ISSUE A PROVISIONAL LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION**
26 **SERVICES TO AN INDIVIDUAL WHO HAS:**

27 **(1) TAKEN AND PASSED A NATIONALLY OR REGIONALLY RECOGNIZED**
28 **KNOWLEDGE AND ETHICS EXAM OR OTHER EXAM APPROVED BY THE BOARD; AND**

29 **(2) SATISFIED OTHER REQUIREMENTS ESTABLISHED BY THE BOARD.**

(B) THE BOARD MAY ISSUE A PROVISIONAL LICENSE TO AN INDIVIDUAL WHO:

(1) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, OTHERWISE QUALIFIES FOR A LICENSE;

(2) SUBMITS TO THE BOARD AN APPLICATION ON THE FORM THAT THE BOARD PROVIDES;

(3) DOES NOT PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN A SETTING SET FORTH IN SUBSECTION (C) OF THIS SECTION; AND

(4) PAYS TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.

(C) WHILE A PROVISIONAL LICENSE IS IN EFFECT, THE LICENSE HOLDER MAY NOT PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE FOLLOWING SETTINGS:

(1) A LEGAL SETTING;

(2) EXCEPT AS A PART OF A FORMAL MENTORSHIP, A MEDICAL SETTING, UNLESS THE INDIVIDUAL IS ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER; OR

(3) EXCEPT AS A PART OF A FORMAL MENTORSHIP, A BEHAVIORAL HEALTH SETTING, UNLESS THE INDIVIDUAL IS ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER.

(D) A PROVISIONAL LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES EXPIRES ON THE THIRD ANNIVERSARY OF ITS EFFECTIVE DATE.

(E) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD MAY RENEW A PROVISIONAL LICENSE FOR ONE ADDITIONAL 2-YEAR TERM, IF THE LICENSE HOLDER:

(1) DEMONSTRATES TO THE SATISFACTION OF THE BOARD THE INDIVIDUAL'S CONTINUED EFFORTS TO ACHIEVE NATIONALLY OR REGIONALLY RECOGNIZED CERTIFICATION OR TO MEET OTHER QUALIFICATIONS ESTABLISHED BY THE BOARD TO QUALIFY FOR A LICENSE UNDER THIS PART;

(2) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM THAT THE BOARD PROVIDES; AND

1 **(3) PAYS TO THE BOARD THE RENEWAL FEE SET BY THE BOARD.**

2 **(F) AN INDIVIDUAL MAY NOT HOLD A PROVISIONAL LICENSE FOR MORE**
3 **THAN 5 YEARS.**

4 **9-2426.**

5 **(A) SUBJECT TO THE HEARING PROVISIONS OF § 9-2428 OF THIS SUBTITLE,**
6 **THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE,**
7 **SUSPEND OR REVOKE A LICENSE, REQUIRE A LICENSEE TO ATTEND AN**
8 **EDUCATIONAL COURSE OR TRAINING, OR IMPOSE A PENALTY ON A LICENSEE IF THE**
9 **APPLICANT OR LICENSEE:**

10 **(1) FRAUDULENTLY OR DECEPTIVELY:**

11 **(I) OBTAINS OR ATTEMPTS TO OBTAIN A LICENSE FOR THE**
12 **APPLICANT OR LICENSEE OR FOR ANOTHER;**

13 **(II) USES A LICENSE; OR**

14 **(III) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES**
15 **AFTER THE EXPIRATION OF A LICENSE;**

16 **(2) IS DEEMED LEGALLY INCOMPETENT TO PROVIDE SIGN LANGUAGE**
17 **INTERPRETATION SERVICES;**

18 **(3) ENGAGES IN DISHONEST, UNETHICAL, IMMORAL, OR**
19 **UNPROFESSIONAL CONDUCT;**

20 **(4) USES ALCOHOL OR DRUGS BEFORE OR DURING A SIGN LANGUAGE**
21 **INTERPRETING ASSIGNMENT, TO THE EXTENT OF BEING UNFIT TO PROVIDE SIGN**
22 **LANGUAGE INTERPRETATION SERVICES;**

23 **(5) ADVERTISES BY MEANS OF KNOWINGLY FALSE OR DECEPTIVE**
24 **STATEMENTS;**

25 **(6) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS**
26 **CONVICTED OF A FELONY OR A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE**
27 **FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE SIGN**
28 **LANGUAGE INTERPRETATION SERVICES;**

29 **(7) IS THE SUBJECT OF DISCIPLINARY OR OTHER ADMINISTRATIVE**
30 **ACTION TAKEN AGAINST THE INDIVIDUAL'S CERTIFICATION OR LICENSE TO**
31 **PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN ANOTHER STATE; OR**

(8) VIOLATES ANY PROVISION OF THIS PART OR ANY REGULATION ADOPTED BY THE BOARD UNDER THIS PART.

(B) (1) A LICENSEE WHOSE LICENSE IS SUSPENDED OR REVOKED UNDER SUBSECTION (A) OF THIS SECTION SHALL RETURN THE LICENSE TO THE BOARD IN THE MANNER REQUIRED BY THE BOARD.

(2) AN INDIVIDUAL WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION MAY BE SUBJECT TO ADDITIONAL DISCIPLINARY ACTION BY THE BOARD.

9-2427.

(A) EXCEPT AS PROVIDED UNDER SUBSECTION (D) OF THIS SECTION, THE BOARD SHALL COMMENCE DISCIPLINARY PROCEEDINGS UNDER § 9-2426 OF THIS SUBTITLE ON RECEIPT OF A COMPLAINT SUBMITTED TO THE BOARD AGAINST AN APPLICANT OR A LICENSEE.

(B) (1) A COMPLAINT SHALL STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED.

(2) IF THE COMPLAINT IS MADE BY ANY PERSON OTHER THAN A MEMBER OF THE BOARD, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

(C) (1) IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT ARE ADEQUATE GROUNDS FOR ACTION UNDER § 9-2426 OF THIS SUBTITLE, THE BOARD SHALL ACT ON THE COMPLAINT IN ACCORDANCE WITH § 9-2428 OF THIS SUBTITLE.

(2) IF THE BOARD DOES NOT MAKE A FINDING UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL DISMISS THE COMPLAINT.

(D) (1) THE BOARD MAY USE A RESTORATIVE JUSTICE PROGRAM IN LIEU OF TAKING FINAL ACTION ON A COMPLAINT UNDER § 9-2426 OF THIS SUBTITLE.

(2) THE BOARD SHALL ADOPT REGULATIONS FOR THE USE OF RESTORATIVE JUSTICE PROGRAMS UNDER THIS SUBSECTION.

9-2428.

(A) (1) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THIS ARTICLE AND THIS PART, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER § 9-2426 OF

1 THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS
2 CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

3 (2) A HEARING SHALL BE SET WITHIN A REASONABLE TIME, NOT
4 EXCEEDING 6 MONTHS, AFTER THE BOARD BRINGS CHARGES AGAINST A LICENSEE.

5 (B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN
6 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THIS ARTICLE.

7 (C) THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY
8 PROCEEDING UNDER THIS SECTION.

9 (D) AT LEAST 30 DAYS BEFORE THE HEARING, THE HEARING NOTICE AND A
10 COPY OF THE COMPLAINT SHALL BE:

11 (1) SERVED PERSONALLY ON THE INDIVIDUAL; OR

12 (2) MAILED TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL.

13 (E) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

14 (F) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS
15 CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY NEVERTHELESS
16 HEAR AND DECIDE ON THE MATTER.

17 9-2429.

18 (A) THE BOARD SHALL ADOPT REGULATIONS FOR THE REACTIVATION OF
19 THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS SUSPENDED UNDER § 9-2426
20 OF THIS SUBTITLE THAT REQUIRE, AT A MINIMUM:

21 (1) THAT THE INDIVIDUAL DEMONSTRATE COMPLIANCE WITH ALL
22 TERMS AND CONDITIONS OF THE SUSPENSION ORDER; AND

23 (2) PAYMENT OF A REACTIVATION FEE SET BY THE BOARD.

24 (B) THE BOARD SHALL ADOPT REGULATIONS FOR THE REINSTATEMENT OF
25 THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS REVOKED UNDER § 9-2426 OF
26 THIS SUBTITLE THAT REQUIRE, AT A MINIMUM:

27 (1) A PERIOD OF TIME SET BY THE BOARD DURING WHICH THE
28 INDIVIDUAL MAY NOT APPLY FOR REINSTATEMENT; AND

29 (2) PAYMENT OF A REINSTATEMENT FEE SET BY THE BOARD.

1 **9-2430.**

2 (A) EXCEPT AS OTHERWISE PROVIDED BY LAW, AN INDIVIDUAL WHO
3 ACQUIRES CONFIDENTIAL INFORMATION IN THE COURSE OF PROVIDING SIGN
4 LANGUAGE INTERPRETATION SERVICES MAY NOT BE REQUIRED TO DISCLOSE THE
5 INFORMATION IN ANY LEGAL PROCEEDING, TRIAL, OR INVESTIGATION BEFORE A
6 GOVERNMENTAL UNIT WITHOUT THE CONSENT OF ALL PARTIES TO THE SIGN
7 LANGUAGE INTERPRETATION.

8 (B) AN INDIVIDUAL PROVIDING SIGN LANGUAGE INTERPRETATION
9 SERVICES HOLDS THE SAME LEGAL PRIVILEGE AS THE INDIVIDUAL RECEIVING THE
10 SIGN LANGUAGE INTERPRETATION SERVICES.

11 **9-2431.**

12 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN UNLICENSED
13 INDIVIDUAL MAY NOT:

14 (1) PROVIDE, ATTEMPT TO PROVIDE, OR OFFER TO PROVIDE SIGN
15 LANGUAGE INTERPRETATION SERVICES IN THE STATE UNLESS LICENSED BY THE
16 BOARD;

17 (2) USE OR ATTEMPT TO USE THE LICENSE OF ANOTHER INDIVIDUAL;
18 OR

19 (3) IMPERSONATE ANOTHER INDIVIDUAL WHO HOLDS A LICENSE.

20 (B) AN INDIVIDUAL MAY REPORT A VIOLATION OF SUBSECTION (A) OF THIS
21 SECTION TO THE BOARD WITHIN 180 DAYS AFTER THE DATE OF THE ALLEGED
22 VIOLATION IF THE INDIVIDUAL IS:

23 (1) A PARTY TO THE PROVISION OF THE SIGN LANGUAGE
24 INTERPRETATION SERVICES;

25 (2) HARMED AS A RESULT OF THE ALLEGED VIOLATION; OR

26 (3) THE GUARDIAN OF THE DEAF OR HARD OF HEARING INDIVIDUAL
27 RECEIVING THE SIGN LANGUAGE INTERPRETATION SERVICES, IF THE DEAF OR
28 HARD OF HEARING INDIVIDUAL IS A MINOR OR HAS BEEN APPOINTED A GUARDIAN
29 OF THE PERSON OF A DISABLED PERSON UNDER § 13-705 OF THE ESTATES AND
30 TRUSTS ARTICLE.

1 **(C) (1) IF THE BOARD FINDS A VIOLATION OF SUBSECTION (A) OF THIS**
2 **SECTION, THE BOARD SHALL PROVIDE WRITTEN NOTICE TO THE INDIVIDUAL**
3 **SPECIFYING THE VIOLATION FOUND.**

4 **(2) THE BOARD MAY IMPOSE A FINE NOT TO EXCEED \$500 FOR EACH**
5 **VIOLATION.**

6 **(3) IN DETERMINING THE AMOUNT OF THE FINE IMPOSED UNDER**
7 **PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD SHALL CONSIDER THE SEVERITY**
8 **OF THE VIOLATION AND WHETHER THE VIOLATION CONSTITUTES A PATTERN OF**
9 **IMPROPER CONDUCT.**

10 **9-2432.**

11 **UNLESS AUTHORIZED UNDER THIS PART TO PROVIDE SIGN LANGUAGE**
12 **INTERPRETATION SERVICES, AN INDIVIDUAL MAY NOT REPRESENT TO THE PUBLIC,**
13 **BY USE OF A TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR**
14 **OTHERWISE, THAT THE INDIVIDUAL IS AUTHORIZED TO PROVIDE SIGN LANGUAGE**
15 **INTERPRETATION SERVICES IN THE STATE.**

16 **9-2433.**

17 **(A) A PERSON WHO RECEIVES SIGN LANGUAGE INTERPRETATION SERVICES**
18 **OR IS A WITNESS TO SIGN LANGUAGE INTERPRETATION SERVICES FROM AN**
19 **UNLICENSED INDIVIDUAL IN VIOLATION OF THIS PART MAY BRING AN ACTION IN A**
20 **COURT OF COMPETENT JURISDICTION SEEKING AN INJUNCTION TO PROHIBIT THE**
21 **INDIVIDUAL FROM PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES.**

22 **(B) (1) IN A JUDICIAL PROCEEDING UNDER SUBSECTION (A) OF THIS**
23 **SECTION, IT IS NOT NECESSARY TO SHOW THAT THE PERSON WAS INDIVIDUALLY**
24 **INJURED BY THE VIOLATION.**

25 **(2) IF THE COURT FINDS THAT AN INDIVIDUAL HAS VIOLATED THIS**
26 **SUBTITLE, THE COURT SHALL:**

27 **(I) ENJOIN THE INDIVIDUAL FROM PROVIDING SIGN LANGUAGE**
28 **INTERPRETATION SERVICES UNTIL THE VIOLATION IS CORRECTED; AND**

29 **(II) REPORT THE FINDING TO THE BOARD.**

30 **(3) AN INDIVIDUAL WHO IS FOUND BY THE COURT TO HAVE VIOLATED**
31 **THIS PART IS JOINTLY AND SEVERALLY LIABLE TO THE INDIVIDUAL WHO BROUGHT**
32 **THE ACTION FOR AN AMOUNT NOT EXCEEDING \$1,000 PER INCIDENT AND ALL**
33 **ATTORNEY'S FEES AND COURT COSTS.**

1 **9-2434.**

2 **AN INDIVIDUAL WHO VIOLATES ANY PROVISION OF THIS PART IS GUILTY OF A**
3 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:**

4 **(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500 OR**
5 **IMPRISONMENT NOT EXCEEDING 90 DAYS, OR BOTH; AND**

6 **(2) FOR EACH SUBSEQUENT VIOLATION, A FINE NOT LESS THAN \$500**
7 **AND NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 90 DAYS, OR BOTH.**

8 **9-2435.**

9 **SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE**
10 **MARYLAND PROGRAM EVALUATION ACT, PART III OF THIS SUBTITLE AND ALL**
11 **REGULATIONS ADOPTED UNDER THIS PART SHALL TERMINATE AND BE OF NO**
12 **EFFECT AFTER JULY 1, 2033.**

13 **SECTION 4. AND BE IT FURTHER ENACTED, That:**

14 (a) Beginning January 1, 2025, an individual who provides sign language
15 interpretation services in the State shall meet the requirements of Title 9, Subtitle 24, Part
16 III of the State Government Article, as enacted by Section 3 of this Act.

17 (b) The State Board of Sign Language Interpreters shall develop and implement
18 a public awareness campaign to inform the public and relevant professionals of the
19 licensing requirements of this Act.

20 (c) Until set by the State Board of Sign Language Interpreters by regulation, the
21 fee for initial licensure under this Act is \$150.

22 **SECTION 5. AND BE IT FURTHER ENACTED, That the member of the State**
23 **Board of Sign Language Interpreters who is required to have a license issued under this**
24 **Act and who is appointed to the Board under § 9-2411 of the State Government Article, as**
25 **enacted by Section 3 of this Act, before January 1, 2025, may satisfy the license requirement**
26 **by holding a current nationally or regionally recognized certification, as defined in § 9-2401**
27 **of the State Government Article, as enacted by Section 3 of this Act, or by meeting other**
28 **criteria established by the Board.**

29 **SECTION 6. AND BE IT FURTHER ENACTED, That the terms of the initial**
30 **members of the State Board of Sign Language Interpreters appointed by the Governor shall**
31 **expire as follows:**

32 (1) three members in 2026;

(2) two members in 2027; and

(3) two members in 2028.

SECTION 7. AND BE IT FURTHER ENACTED, That, for fiscal year 2025, the Governor shall include in the annual budget bill an appropriation of \$100,000 for the State Board of Sign Language Interpreters for the purpose of implementing the provisions of this Act.

SECTION 8. AND BE IT FURTHER ENACTED, That, on or before January 1, 2026, and annually thereafter for 2 years, the Maryland Judiciary shall report to the Senate Committee on Education, Energy, and the Environment and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on:

(1) the number of cases in Maryland courts in which a sign language interpreter was requested or denied;

(2) the average number of days needed to secure a sign language interpreter for a case;

(3) the number of cases postponed in order to secure a sign language interpreter; and

(4) the number of cases in which a sign language interpreter was used who, due to an emergency situation, was not licensed under Title 9, Subtitle 24, Part III of the State Government Article, as enacted by Section 3 of this Act.

SECTION ~~8~~ 9. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.