

SENATE BILL 491

P3

5lr2030
CF 5lr2032

By: **Senators Gile, Brooks, Carozza, King, Kramer, Salling, and Waldstreicher**

Introduced and read first time: January 22, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **General Provisions – Veterans Benefits – Honorable Discharge**

3 FOR the purpose of defining “honorable discharge” with respect to any State program of
4 benefits, rights, or privileges applicable to a veteran to include certain discharges;
5 and generally relating to veteran discharges.

6 BY repealing and reenacting, with amendments,
7 Article – General Provisions
8 Section 1–109.1
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2024 Supplement)

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

13 **Article – General Provisions**

14 1–109.1.

15 (a) With respect to any State program of benefits, rights, or privileges applicable
16 to a veteran under this Code, “honorable discharge” includes discharge that is less than
17 honorable:

18 (1) solely due to the sexual orientation or gender identity of the individual
19 being discharged; [or]

20 (2) based on a statement or consensual act of the individual being
21 discharged related to the individual’s sexual orientation or gender identity, if the statement
22 or consensual act was prohibited by the military or naval service at the time of discharge;
23 **OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) BASED ON AN INCIDENT OR INCIDENTS RELATING TO:**

2 **(I) A DIAGNOSIS OF POST-TRAUMATIC STRESS DISORDER OR**
3 **TRAUMATIC BRAIN INJURY MADE BY AN INDIVIDUAL LICENSED TO PROVIDE HEALTH**
4 **CARE SERVICES AT A U.S. DEPARTMENT OF VETERANS AFFAIRS FACILITY; OR**

5 **(II) AN EXPERIENCE OF SEXUAL TRAUMA, AS DESCRIBED IN 38**
6 **U.S.C. § 1720, DISCLOSED TO AN INDIVIDUAL LICENSED TO PROVIDE HEALTH CARE**
7 **SERVICES AT A U.S. DEPARTMENT OF VETERANS AFFAIRS FACILITY.**

8 (b) A veteran shall submit to the Secretary of Veterans and Military Families
9 documentation that provides the basis for the veteran's discharge.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2025.