

HOUSE BILL 699

P3

5lr2032
CF SB 491

By: **Delegates Allen, Bhandari, Boyce, Ebersole, Fair, Forbes, Guyton, D. Jones, Kaiser, R. Lewis, Lopez, Martinez, McCaskill, Rogers, Stein, Vogel, ~~and White Holland~~ White Holland, Alston, Bagnall, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kerr, Kipke, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Ross, Szeliga, Taveras, Woods, and Woorman**

Introduced and read first time: January 24, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 27, 2025

CHAPTER _____

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.

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.



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

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

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

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

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

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

(3) IF THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES DETERMINES A DISCHARGE SHOULD BE UPGRADED BASED ON THE CRITERIA ESTABLISHED IN 38 C.F.R. § 3.12.

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.