

SENATE BILL 910

D5, D4, P1

2lr1406

By: **Senator Waldstreicher**

Introduced and read first time: February 10, 2022

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Nondiscrimination – Courts and Other Governmental Entities – Prohibitions,**
3 **Policy, and Training**
4 **(Access to Justice for All Youth)**

5 FOR the purpose of requiring the Administrative Office of the Courts and the Department of
6 Juvenile Services to provide certain nondiscrimination training to certain employees and
7 contractors; establishing that certain provisions of law prohibiting discrimination apply
8 to units, officers, employees, and contractors of the State, a county, or a municipal
9 corporation and to a grantee, a program, or an entity receiving State funds; establishing
10 the policy of the State relating to equal access to the courts and nondiscrimination in the
11 receipt of court services; and generally relating to discrimination in courts.

12 BY adding to
13 Article – Courts and Judicial Proceedings
14 Section 13–101(g)
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Human Services
19 Section 9–101(a) and (b)
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2021 Supplement)

22 BY adding to
23 Article – Human Services
24 Section 9–227(f)
25 Annotated Code of Maryland
26 (2019 Replacement Volume and 2021 Supplement)

27 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – State Government
Section 20–901
Annotated Code of Maryland
(2021 Replacement Volume)

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

Article – Courts and Judicial Proceedings

13–101.

(G) (1) THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL PROVIDE TRAINING TO EMPLOYEES AND CONTRACTORS OF THE COURT SYSTEMS TO TEACH BEHAVIORS, ATTITUDES, AND POLICIES THAT SUPPORT AND AFFIRM LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, QUESTIONING, AND GENDER NONCONFORMING PERSONS.

(2) THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL DETERMINE THE FORMAT, FREQUENCY, AND CONTENT OF THE TRAINING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

Article – Human Services

9–101.

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

(b) “Department” means the Department of Juvenile Services.

9–227.

(F) THE DEPARTMENT SHALL PROVIDE TRAINING TO ITS EMPLOYEES AND CONTRACTORS TO TEACH BEHAVIORS, ATTITUDES, AND POLICIES THAT SUPPORT AND AFFIRM LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, QUESTIONING, AND GENDER NONCONFORMING PERSONS.

Article – State Government

20–901.

(a) Except as provided in subsection (b) of this section, [a unit, officer, or employee of the State, a county, or a municipal corporation] **THE FOLLOWING INDIVIDUALS** may not engage in a discriminatory act prohibited by § 20–304, § 20–606, § 20–705, § 20–706, § 20–707, or § 20–708 of this title:

(1) A UNIT, AN OFFICER, OR AN EMPLOYEE OF THE STATE, A COUNTY, OR A MUNICIPAL CORPORATION;

(2) A CONTRACTOR OF THE STATE, A COUNTY, OR A MUNICIPAL CORPORATION; OR

(3) A GRANTEE, A PROGRAM, OR AN ENTITY RECEIVING STATE FUNDS.

(b) Sections 20–304, 20–705, and 20–706 of this title do not prohibit the State, a county, or a municipality from:

(1) providing separate facilities for males and females in government–owned or government–operated public institutions; or

(2) operating or funding special or separate programs and facilities for children, seniors, or other special populations.

(C) (1) FOR THE PURPOSES OF THIS SUBSECTION, “NONMERIT FACTORS” MEANS FACTORS INCLUDING RACE, COLOR, RELIGION, SEX, AGE, NATIONAL ORIGIN, MARITAL STATUS, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.

(2) IT IS THE POLICY OF THE STATE THAT THE COURTS OF THE STATE SHALL:

(I) PROVIDE EQUAL ACCESS TO COURTS OF EQUITY THROUGHOUT THE STATE REGARDLESS OF ANY NONMERIT FACTORS OF THE INDIVIDUAL SEEKING ACCESS;

(II) ENSURE THAT FAMILIES, KIN, AND PROSPECTIVE AND CURRENT FOSTER AND ADOPTIVE PARENTS ARE PROTECTED FROM DISCRIMINATION BASED ON NONMERIT FACTORS WHILE BENEFITTING FROM OR PARTICIPATING IN SERVICES OF THE COURT SYSTEM, CHILD WELFARE SYSTEM, AND OTHER GOVERNMENT SYSTEMS; AND

(III) PROHIBIT DISCRIMINATION BASED ON NONMERIT FACTORS IN THE ADMINISTRATION OF SERVICES, INCLUDING ALL APPLICABLE OFFICES AND FUNCTIONS, AND SERVICES TO YOUTH WHO ARE AT RISK OF, OR ARE SURVIVORS OF, HUMAN TRAFFICKING:

1. IN THE CHILD WELFARE SYSTEM;

2. IN THE JUVENILE JUSTICE SYSTEM;

1 **3. WHILE RECEIVING SERVICES FOR THE HOMELESS; OR**

2 **4. IN THE BEHAVIORAL HEALTH SYSTEMS OF CARE.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2022.