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THE SENATE OF MARYLAND
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**SUPPORT: SB 54 - Criminal Law - Unnatural or Perverted Sexual Practice -
Repeal**

What SB 54 Accomplishes:

- SB 54 repeals “Unnatural and Perverted Sexual Practices” from Maryland Criminal Code (§ 3-322), an outdated, duplicative, and poorly defined sexual offense.
- SB 54 reduces stigmatization of the LGBTQ+ community by striking an unnecessary and offensive statute that was disproportionately used to criminalize members of the LGBTQ+ community.
- SB 54 ensures that individuals previously convicted under § 3-322 who committed non-consensual acts, used force, abused minors, or committed sexual crimes against animals will not be permitted to expunge those convictions or to remove themselves from the sex offender registry in these cases.

Why SB 54 Is Needed:

- Current law prohibits sexual activities that are consensual, and private, specifically, § 3-322 outlaws oral sex as an “unnatural and perverted sexual practices.”
- This section has been found unconstitutional, but Justice Thomas has called for the Supreme Court to revisit *Lawrence v. Texas*, which could make laws prohibiting “unnatural and perverted sexual practices” enforceable again.
- Repealing § 3-322 ensures that Marylanders will be protected if the Supreme Court were every to strike down *Lawrence*. There is currently no reported appellate decision in Maryland to serve as a backstop to the overturning of *Lawrence*.
- As recently as 2021, Marylanders were charged under § 3-322 for consensual sex.^{i,ii}

ⁱ <https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0130-perverted-practice-20220128-envbyoffivagfnsywra7yvipzy-story.html>

ⁱⁱ <https://www.washingtonblade.com/2021/07/21/gay-men-arrested-under-md-sodomy-law-in-adult-bookstore-raid/>