

SENATE BILL 527

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4lr1017
CF HB 367

By: **Senators Kelly and Kagan**

Introduced and read first time: January 24, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Community Colleges – Contraception – Access Requirements**

3 FOR the purpose of requiring, on or before certain dates, each community college to develop
4 and implement a plan to provide students with access to over-the-counter
5 contraception; requiring each community college to submit a certain report to the
6 Maryland Higher Education Commission each year; requiring the Commission to
7 submit a certain report to the General Assembly each year; authorizing the
8 Maryland Department of Health, on request, to provide certain assistance to a
9 community college; and generally relating to community colleges and contraception
10 access requirements.

11 BY adding to
12 Article – Education
13 Section 16–111
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2023 Supplement)

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

18 **Article – Education**

19 **16–111.**

20 **(A) IN THIS SECTION, “OVER-THE-COUNTER CONTRACEPTION” MEANS A**
21 **CONTRACEPTIVE DRUG OR DEVICE APPROVED BY THE FEDERAL FOOD AND DRUG**
22 **ADMINISTRATION THAT CAN BE OBTAINED FOR USE WITHOUT A PRESCRIPTION.**

23 **(B) (1) (I) ON OR BEFORE DECEMBER 1, 2024, EACH COMMUNITY**
24 **COLLEGE, IN CONSULTATION WITH STUDENTS AND STUDENT ORGANIZATIONS,**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SHALL DEVELOP A PLAN TO PROVIDE STUDENTS WITH ACCESS TO
2 OVER-THE-COUNTER CONTRACEPTION.

3 (II) ON OR BEFORE AUGUST 1, 2025, EACH COMMUNITY
4 COLLEGE SHALL IMPLEMENT THE PLAN DEVELOPED UNDER SUBPARAGRAPH (I) OF
5 THIS PARAGRAPH.

6 (2) THE PLAN UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL
7 INCLUDE ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH:

8 (I) THE STUDENT HEALTH CENTER;

9 (II) RETAIL ESTABLISHMENTS ON CAMPUS;

10 (III) VENDING MACHINES; OR

11 (IV) ANY OTHER METHOD THAT PROVIDES ALL STUDENTS
12 ACCESS WHEN ON CAMPUS.

13 (C) (1) ON OR BEFORE SEPTEMBER 1, 2025, AND EACH SEPTEMBER 1
14 THEREAFTER, ON A FORM PROVIDED BY THE COMMISSION, EACH COMMUNITY
15 COLLEGE SHALL SUBMIT A REPORT TO THE COMMISSION ON IMPLEMENTATION OF
16 THE PLAN REQUIRED UNDER THIS SECTION, INCLUDING:

17 (I) HOW STUDENTS ARE PROVIDED ACCESS TO
18 OVER-THE-COUNTER CONTRACEPTION ON CAMPUS;

19 (II) AVAILABLE INFORMATION REGARDING THE AMOUNT OF
20 OVER-THE-COUNTER CONTRACEPTION PROVIDED ON CAMPUS; AND

21 (III) A DESCRIPTION OF HOW THE COMMUNITY COLLEGE HAS
22 CONSULTED WITH STUDENTS AND STUDENT ORGANIZATIONS TO DEVELOP AND
23 IMPLEMENT THE PLAN UNDER THIS SECTION.

24 (2) ON OR BEFORE OCTOBER 1, 2025, AND EACH OCTOBER 1
25 THEREAFTER, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN
26 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE
27 INFORMATION COLLECTED FROM THE COMMUNITY COLLEGES UNDER PARAGRAPH
28 (1) OF THIS SUBSECTION.

29 (D) THE MARYLAND DEPARTMENT OF HEALTH, ON REQUEST, MAY
30 PROVIDE ASSISTANCE TO A COMMUNITY COLLEGE IN:

1 **(1) DEVELOPING A PLAN UNDER THIS SECTION; AND**

2 **(2) CONSULTING AND COLLABORATING WITH ORGANIZATIONS WITH**
3 **EXPERTISE IN PROVIDING ACCESS TO OVER-THE-COUNTER CONTRACEPTION**
4 **THROUGH VENDING MACHINES.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Higher
6 Education Commission shall ensure that the focus of the report due to the General
7 Assembly on or before October 1, 2025, under § 16-111 of the Education Article, as enacted
8 by Section 1 of this Act, shall be on the implementation plans of community colleges that
9 have not implemented the institution's access to over-the-counter contraception on or
10 before August 1, 2025.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2024.