

# HOUSE BILL 1380

P3

(2lr2950)

## ENROLLED BILL

— Appropriations/ Education, Health, and Environmental Affairs and Budget and Taxation —

Introduced by **Delegates P. Young, Brooks, Ebersole, Hornberger, D. Jones, Kaiser, Lierman, Novotny, Patterson, Ruth, and K. Young**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **General Provisions – LGBTQ Veterans – Honorable Discharge**  
3 **(Restoration of Honor Act)**

4 FOR the purpose of defining “honorable discharge” with respect to any State program of  
5 benefits, rights, or privileges applicable to a veteran to include certain discharge that  
6 is less than honorable; *requiring a veteran to submit to the Secretary of Veterans*  
7 *Affairs documentation that provides the basis for the veteran’s discharge*; requiring  
8 the Secretary of ~~Veterans Affairs~~ to adopt certain regulations to determine whether  
9 an individual qualifies as an honorably discharged veteran; and generally relating  
10 to honorably discharged veterans.

11 BY adding to  
12 Article – General Provisions

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#### 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.

*Italics* indicate opposite chamber/conference committee amendments.



1 Section 1–109.1  
2 Annotated Code of Maryland  
3 (2019 Replacement Volume and 2021 Supplement)

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

6 **Article – General Provisions**

7 **1–109.1.**

8 **(A) WITH RESPECT TO ANY STATE PROGRAM OF BENEFITS, RIGHTS, OR**  
9 **PRIVILEGES APPLICABLE TO A VETERAN UNDER THIS CODE, “HONORABLE**  
10 **DISCHARGE” INCLUDES DISCHARGE THAT IS LESS THAN HONORABLE:**

11 **(1) SOLELY DUE TO THE SEXUAL ORIENTATION OR GENDER IDENTITY**  
12 **OF THE INDIVIDUAL BEING DISCHARGED; OR**

13 **(2) BASED ON A STATEMENT OR CONSENSUAL ACT OF THE**  
14 **INDIVIDUAL BEING DISCHARGED RELATED TO THE INDIVIDUAL’S SEXUAL**  
15 **ORIENTATION OR GENDER IDENTITY, IF THE STATEMENT OR CONSENSUAL ACT WAS**  
16 **PROHIBITED BY THE MILITARY OR NAVAL SERVICE AT THE TIME OF DISCHARGE.**

17 **(B) A VETERAN SHALL SUBMIT TO THE SECRETARY OF VETERANS AFFAIRS**  
18 **DOCUMENTATION THAT PROVIDES THE BASIS FOR THE VETERAN’S DISCHARGE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before May 1, 2023, the  
20 Secretary of Veterans Affairs shall adopt regulations establishing a consistent and uniform  
21 process to determine whether an individual qualifies as an honorably discharged veteran  
22 under § 1–109.1 of the General Provisions Article, as enacted by Section 1 of this Act,  
23 including, at a minimum, standards for verifying a veteran’s discharge status and a method  
24 of demonstrating the basis for the veteran’s discharge.

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