

HOUSE BILL 1380

P3

2lr2950

By: **Delegates P. Young, Brooks, Ebersole, Hornberger, D. Jones, Kaiser, Lierman, Novotny, Patterson, Ruth, and K. Young**
Introduced and read first time: February 11, 2022
Assigned to: Appropriations

A BILL ENTITLED

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 the Secretary of Veterans Affairs to adopt certain
7 regulations to determine whether an individual qualifies as an honorably discharged
8 veteran; and generally relating to honorably discharged veterans.

9 BY adding to
10 Article – General Provisions
11 Section 1–109.1
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2021 Supplement)

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

16 **Article – General Provisions**

17 **1–109.1.**

18 **WITH RESPECT TO ANY STATE PROGRAM OF BENEFITS, RIGHTS, OR**
19 **PRIVILEGES APPLICABLE TO A VETERAN UNDER THIS CODE, “HONORABLE**
20 **DISCHARGE” INCLUDES DISCHARGE THAT IS LESS THAN HONORABLE:**

21 **(1) DUE TO THE SEXUAL ORIENTATION OR GENDER IDENTITY OF THE**
22 **INDIVIDUAL BEING DISCHARGED; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **(2) BASED ON A STATEMENT OR CONSENSUAL ACT OF THE**
2 **INDIVIDUAL BEING DISCHARGED RELATED TO THE INDIVIDUAL'S SEXUAL**
3 **ORIENTATION OR GENDER IDENTITY, IF THE STATEMENT OR CONSENSUAL ACT WAS**
4 **PROHIBITED BY THE MILITARY OR NAVAL SERVICE AT THE TIME OF DISCHARGE.**

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

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