

SENATE BILL 303

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2lr0697

By: **Senator Lam**

Introduced and read first time: January 20, 2022

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Nonconsensual Condom Removal – Prohibition**

3 FOR the purpose of prohibiting an individual from causing certain sexual contact involving
4 nonconsensual condom removal; and generally relating to nonconsensual condom
5 removal.

6 BY adding to

7 Article – Health – General

8 Section 20–2201 to be under the new subtitle “Subtitle 22. Nonconsensual Condom
9 Removal”

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2021 Supplement)

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

14 **Article – Health – General**

15 **SUBTITLE 22. NONCONSENSUAL CONDOM REMOVAL.**

16 **20–2201.**

17 **(A) IN THIS SECTION, “INTIMATE PART” MEANS THE SEXUAL ORGAN, ANUS,**
18 **GROIN, OR BUTTOCKS OF AN INDIVIDUAL, OR THE BREAST OF A FEMALE.**

19 **(B) AN INDIVIDUAL MAY NOT CAUSE CONTACT BETWEEN:**

20 **(I) A SEXUAL ORGAN, FROM WHICH A CONDOM HAS BEEN REMOVED,**
21 **AND THE INTIMATE PART OF ANOTHER WHO DID NOT VERBALLY CONSENT TO THE**
22 **CONDOM BEING REMOVED; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) AN INTIMATE PART OF THE INDIVIDUAL AND THE SEXUAL ORGAN**
2 **OF ANOTHER FROM WHICH THE INDIVIDUAL REMOVED A CONDOM WITHOUT VERBAL**
3 **CONSENT.**

4 **(C) (1) AN INDIVIDUAL WHO HAS EXPERIENCED A VIOLATION OF**
5 **SUBSECTION (B) OF THIS SECTION MAY FILE A CIVIL ACTION IN A COURT OF**
6 **COMPETENT JURISDICTION.**

7 **(2) IN AN ACTION UNDER THIS SUBSECTION, THE COURT MAY AWARD:**

8 **(I) COMPENSATORY DAMAGES;**

9 **(II) INJUNCTIVE RELIEF;**

10 **(III) REASONABLE ATTORNEY'S FEES AND LITIGATION**
11 **EXPENSES; OR**

12 **(IV) ANY OTHER APPROPRIATE RELIEF.**

13 **(D) THE REMEDIES PROVIDED BY THIS SECTION ARE IN ADDITION TO ANY**
14 **OTHER STATUTORY, LEGAL, OR EQUITABLE REMEDIES THAT MAY BE AVAILABLE**
15 **AND ARE NOT INTENDED TO BE PREREQUISITE TO OR EXCLUSIVE OF ANY OTHER**
16 **REMEDIES.**

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