

SENATE BILL 910

D5, D4, P1

2lr1406

By: **Senator Waldstreicher**

Introduced and read first time: February 10, 2022

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Nondiscrimination – Courts and Other Governmental Entities – Prohibitions,**
3 **Policy, and Training**
4 **(Access to Justice for All Youth)**

5 FOR the purpose of requiring the Administrative Office of the Courts and the Department of
6 Juvenile Services to provide certain nondiscrimination training to certain employees and
7 contractors; establishing that certain provisions of law prohibiting discrimination apply
8 to units, officers, employees, and contractors of the State, a county, or a municipal
9 corporation and to a grantee, a program, or an entity receiving State funds; establishing
10 the policy of the State relating to equal access to the courts and nondiscrimination in the
11 receipt of court services; and generally relating to discrimination in courts.

12 BY adding to
13 Article – Courts and Judicial Proceedings
14 Section 13–101(g)
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Human Services
19 Section 9–101(a) and (b)
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2021 Supplement)

22 BY adding to
23 Article – Human Services
24 Section 9–227(f)
25 Annotated Code of Maryland
26 (2019 Replacement Volume and 2021 Supplement)

27 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Government
2 Section 20–901
3 Annotated Code of Maryland
4 (2021 Replacement Volume)

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

7 **Article – Courts and Judicial Proceedings**

8 13–101.

9 **(G) (1) THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL PROVIDE**
10 **TRAINING TO EMPLOYEES AND CONTRACTORS OF THE COURT SYSTEMS TO TEACH**
11 **BEHAVIORS, ATTITUDES, AND POLICIES THAT SUPPORT AND AFFIRM LESBIAN, GAY,**
12 **BISEXUAL, TRANSGENDER, QUEER, QUESTIONING, AND GENDER NONCONFORMING**
13 **PERSONS.**

14 **(2) THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL**
15 **DETERMINE THE FORMAT, FREQUENCY, AND CONTENT OF THE TRAINING REQUIRED**
16 **UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

17 **Article – Human Services**

18 9–101.

19 (a) In this title the following words have the meanings indicated.

20 (b) “Department” means the Department of Juvenile Services.

21 9–227.

22 **(F) THE DEPARTMENT SHALL PROVIDE TRAINING TO ITS EMPLOYEES AND**
23 **CONTRACTORS TO TEACH BEHAVIORS, ATTITUDES, AND POLICIES THAT SUPPORT**
24 **AND AFFIRM LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, QUESTIONING, AND**
25 **GENDER NONCONFORMING PERSONS.**

26 **Article – State Government**

27 20–901.

28 (a) Except as provided in subsection (b) of this section, [a unit, officer, or employee
29 of the State, a county, or a municipal corporation] **THE FOLLOWING INDIVIDUALS** may
30 not engage in a discriminatory act prohibited by § 20–304, § 20–606, § 20–705, § 20–706, §
31 20–707, or § 20–708 of this title:

1 **(1) A UNIT, AN OFFICER, OR AN EMPLOYEE OF THE STATE, A COUNTY,**
2 **OR A MUNICIPAL CORPORATION;**

3 **(2) A CONTRACTOR OF THE STATE, A COUNTY, OR A MUNICIPAL**
4 **CORPORATION; OR**

5 **(3) A GRANTEE, A PROGRAM, OR AN ENTITY RECEIVING STATE FUNDS.**

6 (b) Sections 20–304, 20–705, and 20–706 of this title do not prohibit the State, a
7 county, or a municipality from:

8 (1) providing separate facilities for males and females in
9 government–owned or government–operated public institutions; or

10 (2) operating or funding special or separate programs and facilities for
11 children, seniors, or other special populations.

12 **(C) (1) FOR THE PURPOSES OF THIS SUBSECTION, “NONMERIT FACTORS”**
13 **MEANS FACTORS INCLUDING RACE, COLOR, RELIGION, SEX, AGE, NATIONAL ORIGIN,**
14 **MARITAL STATUS, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.**

15 **(2) IT IS THE POLICY OF THE STATE THAT THE COURTS OF THE STATE**
16 **SHALL:**

17 **(I) PROVIDE EQUAL ACCESS TO COURTS OF EQUITY**
18 **THROUGHOUT THE STATE REGARDLESS OF ANY NONMERIT FACTORS OF THE**
19 **INDIVIDUAL SEEKING ACCESS;**

20 **(II) ENSURE THAT FAMILIES, KIN, AND PROSPECTIVE AND**
21 **CURRENT FOSTER AND ADOPTIVE PARENTS ARE PROTECTED FROM**
22 **DISCRIMINATION BASED ON NONMERIT FACTORS WHILE BENEFITTING FROM OR**
23 **PARTICIPATING IN SERVICES OF THE COURT SYSTEM, CHILD WELFARE SYSTEM, AND**
24 **OTHER GOVERNMENT SYSTEMS; AND**

25 **(III) PROHIBIT DISCRIMINATION BASED ON NONMERIT FACTORS**
26 **IN THE ADMINISTRATION OF SERVICES, INCLUDING ALL APPLICABLE OFFICES AND**
27 **FUNCTIONS, AND SERVICES TO YOUTH WHO ARE AT RISK OF, OR ARE SURVIVORS OF,**
28 **HUMAN TRAFFICKING:**

29 **1. IN THE CHILD WELFARE SYSTEM;**

30 **2. IN THE JUVENILE JUSTICE SYSTEM;**

