

SENATE BILL 251

P1

3lr1951
CF HB 141

By: **Senator M. Washington**

Introduced and read first time: January 25, 2023

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 15, 2023

CHAPTER _____

1 AN ACT concerning

2 **State Government – Commission on LGBTQIA+ Affairs – Alterations**

3 FOR the purpose of renaming the Commission on LGBTQ Affairs to be the Commission on
4 LGBTQIA+ Affairs; altering the membership of the Commission; altering certain
5 qualifications for members appointed to the Commission; staggering the terms of
6 Commission members; altering the duties of the Commission; and generally relating
7 to the Commission on LGBTQIA+ Affairs.

8 BY repealing and reenacting, without amendments,

9 Article – State Government

10 Section 9.5–101(a)

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – State Government

15 Section 9.5–101(b); and 9.5–501 through 9.5–503 and 9.5–507 to be under the
16 amended subtitle “Subtitle 5. Commission on LGBTQIA+ Affairs”

17 Annotated Code of Maryland

18 (2021 Replacement Volume and 2022 Supplement)

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

21 **Article – State Government**

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.



1 9.5–101.

2 (a) There is a Governor’s Office of Community Initiatives, as authorized under
3 Executive Order 01.01.2007.25.

4 (b) The Governor’s Office of Community Initiatives shall include the following
5 units:

6 (1) the Governor’s Office on Service and Volunteerism, under Subtitle 2 of
7 this title;

8 (2) the Commission on Indian Affairs, under Subtitle 3 of this title;

9 (3) the Commission on **[LGBTQ] LGBTQIA+** Affairs, under Subtitle 5 of
10 this title; and

11 (4) any other unit as authorized by law or executive order.

12 Subtitle 5. Commission on **[LGBTQ] LGBTQIA+** Affairs.

13 9.5–501.

14 (a) In this subtitle the following words have the meanings indicated.

15 (b) “Commission” means the Commission on **[LGBTQ] LGBTQIA+** Affairs.

16 (c) **“[LGBTQ] LGBTQIA+”** means lesbian, gay, bisexual, transgender, [and]
17 queer **OR QUESTIONING, INTERSEX, ASEXUAL, AGENDER, OR AROMANTIC, AND**
18 **ADDITIONAL IDENTITIES.**

19 9.5–502.

20 There is a Commission on **[LGBTQ] LGBTQIA+** Affairs in the Governor’s Office of
21 Community Initiatives.

22 9.5–503.

23 (a) The Commission consists of **[15] 21** members appointed by the Governor with
24 the advice and consent of the Senate.

25 (b) The members shall:

26 (1) to the extent practicable, be members of the **[LGBTQ] LGBTQIA+**
27 community;

1 (2) include at least two transgender individuals;

2 (3) to the extent practicable, reflect the AGE, gender, **GENDER IDENTITY,**
3 **SEXUAL ORIENTATION,** racial, ethnic, **SOCIOECONOMIC,** and geographic diversity of the
4 State;

5 (4) know about issues facing [LGBTQ] **LGBTQIA+** communities and be
6 sensitive to the problems of [LGBTQ] **LGBTQIA+** communities;

7 (5) be representatives of the State's [LGBTQ] **LGBTQIA+** communities
8 or have an interest in the success of [LGBTQ] **LGBTQIA+** communities; and

9 (6) provide value to the work of the Commission.

10 (c) (1) The term of a member is 4 years.

11 **(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE**
12 **TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2023.**

13 ~~[(2)]~~ **(3)** At the end of a term, a member continues to serve until a
14 successor is appointed and qualifies.

15 ~~[(3)]~~ **(4)** A member who is appointed after a term has begun serves only
16 for the rest of the term and until a successor is appointed and qualifies.

17 (d) (1) Except as provided in paragraph (2) of this subsection, a member may
18 be reappointed.

19 (2) A member who has served two consecutive 4-year terms may not be
20 reappointed until at least 1 year has elapsed after the end of the previous term.

21 (e) The Governor may remove a member for incompetence or misconduct.

22 (f) A member who fails to attend at least 50% of the regularly scheduled meetings
23 during a 12-month period shall be considered to have resigned from the Commission.

24 9.5-507.

25 The Commission shall:

26 (1) assess the challenges facing [LGBTQ] **LGBTQIA+** communities;

27 (2) collect data across State agencies on:

28 (i) the implementation of [LGBTQ-inclusive] policies **THAT ARE**
29 **INCLUSIVE OF LGBTQIA+ IDENTITIES;** and

1 (ii) complaints alleging discrimination based on sexual orientation
2 or gender identity;

3 (3) study and establish best practices for inclusion of [LGBTQ]
4 **LGBTQIA+** individuals and communities;

5 (4) inform the Executive and Legislative branches of State government of
6 issues concerning ~~women and~~ [LGBTQ] **LGBTQIA+** persons;

7 (5) offer testimony on issues concerning ~~women and~~ [LGBTQ]
8 **LGBTQIA+** persons before legislative and administrative bodies;

9 (6) act as a clearinghouse for activities to avoid duplication of efforts;

10 (7) create surveys and appoint advisory committees in the fields of:

11 (i) education;

12 (ii) social sciences;

13 (iii) labor and employment laws and policies;

14 (iv) law enforcement;

15 (v) health and safety;

16 (vi) new and expanded services;

17 (vii) legal rights;

18 (viii) family relations;

19 (ix) human relations; and

20 (x) volunteer services; and

21 (8) publish, in accordance with § 2–1257 of this article, an annual report,
22 and any other material the Commission considers necessary, that includes
23 recommendations on policies for [LGBTQ] **LGBTQIA+** adults and youth that work to end
24 discriminatory practices in the State.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
26 members of the Commission on LGBTQIA+ Affairs shall expire as follows:

27 (1) seven members in 2024;

1 (2) seven members in 2025; and

2 (3) seven members in 2026.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.