

# HOUSE BILL 367

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CF 4lr1017

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By: **Delegates Smith, Amprey, R. Lewis, Shetty, Solomon, and Toles**

Introduced and read first time: January 17, 2024

Assigned to: Appropriations and Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Community Colleges – Contraception – Access Requirements**

3 FOR the purpose of requiring, on or before a certain date, each community college to develop  
4 and implement a plan to provide students with access to over-the-counter  
5 contraception; requiring each community college to submit a certain report to the  
6 Maryland Higher Education Commission each year; requiring the Commission to  
7 submit a certain report to the General Assembly each year; authorizing the  
8 Maryland Department of Health, on request, to provide certain assistance to a  
9 community college; and generally relating to community colleges and contraception  
10 access requirements.

11 BY adding to  
12 Article – Education  
13 Section 16–111  
14 Annotated Code of Maryland  
15 (2022 Replacement Volume and 2023 Supplement)

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

18 **Article – Education**

19 **16–111.**

20 (A) IN THIS SECTION, “OVER-THE-COUNTER CONTRACEPTION” MEANS A  
21 CONTRACEPTIVE DRUG OR DEVICE APPROVED BY THE FEDERAL FOOD AND DRUG  
22 ADMINISTRATION THAT CAN BE PURCHASED FOR USE WITHOUT A PRESCRIPTION.

23 (B) (1) ON OR BEFORE OCTOBER 1, 2024, EACH COMMUNITY COLLEGE,  
24 IN CONSULTATION WITH STUDENTS AND STUDENT ORGANIZATIONS, SHALL

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 DEVELOP AND IMPLEMENT A PLAN TO PROVIDE STUDENTS WITH ACCESS TO  
2 OVER-THE-COUNTER CONTRACEPTION.

3 (2) THE PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL  
4 INCLUDE 24-HOUR ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH  
5 THE STUDENT HEALTH CENTER, RETAIL ESTABLISHMENTS ON CAMPUS, OR  
6 VENDING MACHINES.

7 (C) (1) ON OR BEFORE JULY 1, 2025, AND EACH JULY 1 THEREAFTER, ON  
8 A FORM PROVIDED BY THE COMMISSION, EACH COMMUNITY COLLEGE SHALL  
9 SUBMIT A REPORT TO THE COMMISSION ON IMPLEMENTATION OF THE PLAN  
10 REQUIRED UNDER THIS SECTION, INCLUDING:

11 (I) HOW STUDENTS ARE PROVIDED ACCESS TO  
12 OVER-THE-COUNTER CONTRACEPTION ON CAMPUS;

13 (II) AVAILABLE INFORMATION REGARDING THE AMOUNT OF  
14 OVER-THE-COUNTER CONTRACEPTION PROVIDED ON CAMPUS; AND

15 (III) A DESCRIPTION OF HOW THE COMMUNITY COLLEGE HAS  
16 CONSULTED WITH STUDENTS AND STUDENT ORGANIZATIONS TO DEVELOP AND  
17 IMPLEMENT THE PLAN UNDER THIS SECTION.

18 (2) ON OR BEFORE SEPTEMBER 1, 2025, AND EACH SEPTEMBER 1  
19 THEREAFTER, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN  
20 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE  
21 INFORMATION COLLECTED FROM THE COMMUNITY COLLEGES UNDER PARAGRAPH  
22 (1) OF THIS SUBSECTION.

23 (D) THE MARYLAND DEPARTMENT OF HEALTH, ON REQUEST, MAY  
24 PROVIDE ASSISTANCE TO A COMMUNITY COLLEGE IN:

25 (1) DEVELOPING A PLAN UNDER THIS SECTION; AND

26 (2) CONSULTING AND COLLABORATING WITH ORGANIZATIONS WITH  
27 EXPERTISE IN PROVIDING ACCESS TO OVER-THE-COUNTER CONTRACEPTION  
28 THROUGH VENDING MACHINES.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Higher  
30 Education Commission shall ensure that the focus of the report due to the General  
31 Assembly on or before September 1, 2025, under § 16-111 of the Education Article as  
32 enacted by Section 1 of this Act, shall be on the implementation plans of community colleges  
33 that have not implemented the institution's access to over-the-counter contraception on or  
34 before October 1, 2025.

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2   1, 2024.