

HOUSE BILL 367

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4r1018
CF SB 527

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of requiring, on or before ~~a certain date~~ dates, each community college to
4 develop 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.**

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

5 (B) (1) ON OR BEFORE ~~OCTOBER~~ AUGUST 1, 2024 2025, EACH
6 COMMUNITY COLLEGE, IN CONSULTATION WITH STUDENTS AND STUDENT
7 ORGANIZATIONS, SHALL DEVELOP AND IMPLEMENT A PLAN TO PROVIDE STUDENTS
8 WITH ACCESS TO OVER-THE-COUNTER CONTRACEPTION.

9 (2) THE PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL
10 INCLUDE ~~24-HOUR~~ ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH:
11 ~~THE STUDENT HEALTH CENTER, RETAIL ESTABLISHMENTS ON CAMPUS, OR~~
12 ~~VENDING MACHINES~~

13 (I) THE STUDENT HEALTH CENTER;

14 (II) RETAIL ESTABLISHMENTS ON CAMPUS;

15 (III) VENDING MACHINES; OR

16 (IV) ANY OTHER METHOD THAT PROVIDES ALL STUDENTS
17 ACCESS WHEN ON CAMPUS.

18 (C) (1) ON OR BEFORE ~~JULY~~ SEPTEMBER 1, 2025, AND EACH ~~JULY~~
19 SEPTEMBER 1 THEREAFTER, ON A FORM PROVIDED BY THE COMMISSION, EACH
20 COMMUNITY COLLEGE SHALL SUBMIT A REPORT TO THE COMMISSION ON
21 IMPLEMENTATION OF THE PLAN REQUIRED UNDER THIS SECTION, INCLUDING:

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

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

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

29 (2) ON OR BEFORE ~~SEPTEMBER~~ OCTOBER 1, 2025, AND EACH
30 ~~SEPTEMBER~~ OCTOBER 1 THEREAFTER, THE COMMISSION SHALL REPORT TO THE
31 GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
32 ARTICLE, ON THE INFORMATION COLLECTED FROM THE COMMUNITY COLLEGES
33 UNDER PARAGRAPH (1) OF THIS SUBSECTION.

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

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

4 (2) CONSULTING AND COLLABORATING WITH ORGANIZATIONS WITH
5 EXPERTISE IN PROVIDING ACCESS TO OVER-THE-COUNTER CONTRACEPTION
6 THROUGH VENDING MACHINES.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Higher
8 Education Commission shall ensure that the focus of the report due to the General
9 Assembly on or before ~~September~~ October 1, 2025, under § 16-111 of the Education Article
10 as enacted by Section 1 of this Act, shall be on the implementation plans of community
11 colleges that have not implemented the institution’s access to over-the-counter
12 contraception on or before ~~October~~ August 1, 2025.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.