

Chapter 338

(Senate Bill 527)

AN ACT concerning

Community Colleges – Contraception – Access Requirements

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

BY adding to

Article – Education

Section 16–111

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

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

Article – Education

16–111.

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

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

~~**(1) ON OR BEFORE AUGUST 1, 2025, EACH COMMUNITY COLLEGE SHALL IMPLEMENT THE PLAN DEVELOPED UNDER SUBPARAGRAPH (1) OF THIS PARAGRAPH.**~~

(2) THE PLAN UNDER PARAGRAPH ~~(1)~~ (1) OF THIS SUBSECTION SHALL INCLUDE ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH:

- (I) THE STUDENT HEALTH CENTER;
- (II) RETAIL ESTABLISHMENTS ON CAMPUS;
- (III) VENDING MACHINES; OR
- (IV) ANY OTHER METHOD THAT PROVIDES ALL STUDENTS ACCESS WHEN ON CAMPUS.

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

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

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

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

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

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

(1) DEVELOPING A PLAN UNDER THIS SECTION; AND

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

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Higher Education Commission shall ensure that the focus of the report due to the General Assembly on or before October 1, 2025, under § 16-111 of the Education Article, as enacted by Section 1 of this Act, shall be on the implementation plans of community colleges that

have not implemented the institution's access to over-the-counter contraception on or before August 1, 2025.

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

Approved by the Governor, April 25, 2024.