



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401
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The Legislative Black Caucus of Maryland offers its strong and favorable support for House Bill 104 (HB104) / Senate Bill 49 (SB49) – Unhoused Individuals: Rights, Civil Action, and Affirmative Defense. This bill prevents government agencies from forcefully removing unhoused individuals engaging in life-sustaining activities from public facilities without providing them with “adequate alternative indoor space.” Currently, unhoused individuals fall victim to incarceration for simply carrying out their daily tasks.

This legislation is especially critical for Black Marylanders, who are disproportionately impacted by homelessness. According to the Maryland Department of Housing and Community Development, while Black residents make up only 31% of Maryland’s population, they account for 60% of the state’s unhoused population. The systemic factors contributing to this disparity—such as housing discrimination, economic inequality, and over-policing, have long placed Black communities at higher risk of housing insecurity and criminalization. HB104/SB49 directly addresses these inequities by prohibiting penalization of unhoused individuals for basic survival, ensuring access to adequate shelter, and protecting those who provide aid. By establishing legal protections, this bill moves Maryland toward housing justice and racial equity.

By eliminating criminal penalties for life-sustaining activities and requiring that alternative shelter options meet appropriate standards, HB104/SB49 creates a framework that prioritizes dignity and fairness for all Marylanders. This bill ensures that unhoused individuals, who are disproportionately Black, are not targeted by punitive laws that perpetuate cycles of poverty and incarceration. Providing protections for those assisting the unhoused also strengthens community solidarity, reinforcing Maryland’s commitment to justice and equity. For these reasons, the Legislative Black Caucus of Maryland strongly supports HB104/SB49.

Legislative Black Caucus of Maryland