

SENATE BILL 251

P1

(3lr1951)

ENROLLED BILL

— *Education, Energy, and the Environment/Health and Government Operations* —

Introduced by **Senator M. Washington**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

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,

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.

Italics indicate opposite chamber/conference committee amendments.



1 Article – State Government

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

4 Annotated Code of Maryland

5 (2021 Replacement Volume and 2022 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

7 That the Laws of Maryland read as follows:

8 **Article – State Government**

9 9.5–101.

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

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

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

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

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

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

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

21 9.5–501.

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

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

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

27 9.5–502.

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

1 9.5–503.

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

4 (b) The members shall:

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

7 (2) include at least two transgender individuals;

8 (3) to the extent practicable, reflect the AGE, gender, GENDER IDENTITY
9 OR EXPRESSION, ANCESTRAL, NATIONAL ORIGIN, COLOR, DISABILITY, RELIGIOUS,
10 SEX, SEXUAL ORIENTATION, racial, ethnic, SOCIOECONOMIC, and geographic diversity
11 of the State;

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

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

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

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

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

20 ~~[(2)]~~ **(3)** At the end of a term, a member continues to serve until a
21 successor is appointed and qualifies.

22 ~~[(3)]~~ **(4)** A member who is appointed after a term has begun serves only
23 for the rest of the term and until a successor is appointed and qualifies.

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

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

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

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

1 9.5–507.

2 The Commission shall:

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

4 (2) collect data across State agencies on:

5 (i) the implementation of **[LGBTQ–inclusive]** policies **THAT ARE**
6 **INCLUSIVE OF LGBTQIA+ IDENTITIES**; and

7 (ii) complaints alleging discrimination based on sexual orientation
8 or gender identity;

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

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

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

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

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

17 (i) education;

18 (ii) social sciences;

19 (iii) labor and employment laws and policies;

20 (iv) law enforcement;

21 (v) health and safety;

22 (vi) new and expanded services;

23 (vii) legal rights;

24 (viii) family relations;

25 (ix) human relations; and

1 (x) volunteer services; and

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

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

8 (1) seven members in 2024;

9 (2) seven members in 2025; and

10 (3) seven members in 2026.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.