

HOUSE BILL 141

P1

3lr1065
CF SB 251

By: ~~Delegate Qi~~ Delegates Qi, Alston, Bagnall, Cullison, Guzzone, Hill, Kaiser, Kerr, R. Lewis, Lopez, Martinez, Pena-Melnyk, Rosenberg, Taveras, White, and Woods

Introduced and read first time: January 13, 2023
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 25, 2023

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,
14 Article – State Government
15 Section 9.5–101(b); and 9.5–501 through 9.5–503 and 9.5–507 to be under the
16 amended subtitle “Subtitle 5. Commission on LGBTQIA+ Affairs”
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2022 Supplement)

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

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.



Article – State Government

1
2 9.5–101.

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

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

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

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

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

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

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

14 9.5–501.

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

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

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

20 9.5–502.

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

23 9.5–503.

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

26 (b) The members shall:

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

3 (2) include at least two transgender individuals;

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

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

10 (5) be representatives of the State's [LGBTQ] LGBTQIA+ communities
11 or have an interest in the success of [LGBTQ] LGBTQIA+ communities; and

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

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

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

16 [(2)] (3) At the end of a term, a member continues to serve until a
17 successor is appointed and qualifies.

18 [(3)] (4) A member who is appointed after a term has begun serves only
19 for the rest of the term and until a successor is appointed and qualifies.

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

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

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

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

27 9.5-507.

28 The Commission shall:

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

- 1 (2) collect data across State agencies on:
- 2 (i) the implementation of [LGBTQ-inclusive] policies **THAT ARE**
3 **INCLUSIVE OF LGBTQIA+ IDENTITIES**; and
- 4 (ii) complaints alleging discrimination based on sexual orientation
5 or gender identity;
- 6 (3) study and establish best practices for inclusion of [LGBTQ]
7 **LGBTQIA+** individuals and communities;
- 8 (4) inform the Executive and Legislative branches of State government of
9 issues concerning ~~women and~~ [LGBTQ] **LGBTQIA+** persons;
- 10 (5) offer testimony on issues concerning ~~women and~~ [LGBTQ]
11 **LGBTQIA+** persons before legislative and administrative bodies;
- 12 (6) act as a clearinghouse for activities to avoid duplication of efforts;
- 13 (7) create surveys and appoint advisory committees in the fields of:
- 14 (i) education;
- 15 (ii) social sciences;
- 16 (iii) labor and employment laws and policies;
- 17 (iv) law enforcement;
- 18 (v) health and safety;
- 19 (vi) new and expanded services;
- 20 (vii) legal rights;
- 21 (viii) family relations;
- 22 (ix) human relations; and
- 23 (x) volunteer services; and
- 24 (8) publish, in accordance with § 2-1257 of this article, an annual report,
25 and any other material the Commission considers necessary, that includes
26 recommendations on policies for [LGBTQ] **LGBTQIA+** adults and youth that work to end
27 discriminatory practices in the State.

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

- 3 (1) seven members in 2024;
- 4 (2) seven members in 2025; and
- 5 (3) seven members in 2026.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.