

**Sponsor Testimony**

**Intellectual Disability Bill (HB 432)**

**Delegate Aaron Kaufman**

**March 21, 2024**

**Judicial Proceedings Committee**

Good afternoon Chair Smith, Vice Chair Waldstreicher, and esteemed colleagues. For the record my name is Delegate Aaron Kaufman representing District 18.

This fall I was honored when the Attorney General's Office asked me to introduce HB 432 which would change the term mental retardation, a phrase the disability community considers a hurtful slur, to the appropriate medical term of intellectual disability in the Maryland code of law. This bill passed in the Judiciary Committee unanimously and on the House floor with a vote of 138 to 0. Given the ideological diversity among the co-sponsors and those in favor of this legislation, I am confident my colleagues agree with me on the importance of this bill.

The American Association on Intellectual and Developmental Disabilities defines an intellectual disability as “a condition characterized by significant limitations in both intellectual functioning and adaptive behavior that originates before the age of 22” (AAIDD 2024). The federal government removed the term mental retardation from the law early in the Obama administration, and prior to federal action a bill sponsored by the late Delegate Ted Sophocleus attempted to remove the slur from Maryland law. Mental retardation is a derogatory term that has no place in our codes of law.

This bill is personal to me. As all of you know, my brother, Jay, had an intellectual disability and passed away just over a year ago, so I am carrying this bill forward in his memory. I am not fond of labels as they relate to those with disabilities because people tend to focus on the label that society has given a person rather than actually getting to know them. This bill allows us to refer to people with disabilities in a respectful manner.

In full disclosure after submitting HB 432 I learned from bill drafting that this change is already occurring in this year's technical

corrections bill, as it relates to the criminal code. However, the Attorney General personally asked me to continue carrying the bill. HB 432 originally sought to rid the Maryland Criminal Code of the word mental retardation, but this Tuesday the Attorney General's office asked that I adopt an amendment that would strike the term from the Employment Discrimination Code as well. I have submitted the amendments to Ms. Popp, the Judicial Proceedings Committee Administrator for her to distribute to the committee members.

The Attorney General and I believe it is important for the General Assembly to make an affirmative statement that this derogatory term has no place in the Maryland code of law, and so I urge a favorable report on HB 432. Thank you and I will gladly answer any questions you may have.