



Working to end sexual violence in Maryland

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2023 Legislative Priorities and Bills of Interest

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes all of the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence in the State of Maryland.

The Maryland Coalition Against Sexual Assault (MCASA) supports legislation that promotes justice for survivors of sexual violence, accountability for offenders, and protection for the general public. MCASA responds to policy questions and legislative initiatives throughout Maryland's legislative session (January-April).

MCASA's 2023 Legislative Priorities are:

Rape Crisis Center Funding

MCASA supports full funding of rape crisis center services and monitors the budget process and individual funding bills. It is critical that we maintain support for the core services that sexual assault survivors need.

Victim Services Stabilization Act (VOCA)

A bill to provide state funds to back-fill VOCA shortages and eliminate the fluctuations in funding for core services. Lead sponsors: Chair Guy Guzzone and Chair Ben Barnes.

Marriage Should Not Be a Defense to Sex Crimes – Love is No Defense Act – HB4/SB129

Maryland allows marriage to be a defense to some sex crimes. It is past time to remove this archaic law from the books. We will be back to fight for this important legal principle in 2023. Lead sponsors: Delegate Charlotte Crutchfield and Senator Susan Lee.

Consent – HB412

A bill to create a statutory definition of consent and make it clear that people have the right to control who touches their body in a sexual manner. Lead sponsor: Delegate Emily Shetty.

Abortion Access – Constitutional Amendment, Protection from Liability, Data Privacy

Several bills to protect abortion access are expected, including the Speaker's Constitutional Amendment, a bill to protect rape crisis center staff and others helping survivors from liability for providing assistance with abortion access, and data privacy.

Safe Harbor for Minor Victims of Sex Trafficking

Establishing "safe harbor" rules against criminal prosecution or juvenile proceedings against minors who are victims of sex trafficking and commit certain crimes.

Lead sponsors: Senator Jeff Waldstreicher and Delegate Sandy Bartlett.

Statute of Limitations – Civil Child Sexual Abuse – HB1

This bill would expand or eliminate the statute of limitations in civil suits based on child sexual abuse. Lead sponsor: Delegate CT Wilson.

Repeal – Unnatural & Perverted Sexual Acts – SB54/HB131

A bill to repeal archaic language criminalizing consensual sexual activity between adults, historically used to intimidate the LGBTQ+ community. Lead sponsors: Senator Clarence Lam and Vice Chair David Moon.

Body Cameras and Victim Privacy – SB40

Body-worn digital recordings can include images of survivors following some of the most traumatic and difficult times in their lives and care should be taken to ensure the justice system does not add to the trauma by publically disclosing body camera footage. At the same time, recordings can provide important information about how victims are treated. This bill balances these concerns and addresses a gap in the current public information act law. Lead Sponsor: Senator Charles Sydnor.

Other bills of interest include:**Prompt Payment for Grant Recipients – SB112/HB328**

This bill would have required government to pay grant recipients within 30 days of a properly submitted request, making the grant payment rules the same as those for procurement contracts. Lead sponsors: Senator Cheryl Kagan and Delegate Anne Kaiser.

Visual Surveillance with Prurient Intent – SB25/HB126

A bill making it clear that the prohibition against visual surveillance with prurient intent applies in private residences and increasing the penalty for visual surveillance with prurient intent of a minor. Lead sponsors: Delegate Jesse Pippy and Senator Susan Lee.

Person in Position of Authority – Reintroduction – SB21/HB226

A bill to help close the remaining loophole in Maryland's laws regarding persons in authority who sexually exploit children they have authority over. Statutory rape provisions protect younger children, child sexual abuse laws protect children during the time a child is actually in an adult's care or supervision, certain school employees are always prohibited from having sex with their students, and new laws on sextortion provide the ability to prosecute those using threats of emotional distress to coerce sexual activity. However, the law still has gaps that fail to protect teenagers from sexual exploitation by extra-curricular activity instructors, scout masters, school volunteers, and other adults in authority. This bill closes these remaining gaps, so that all teens are protected. Lead sponsors: Delegate Sara Love and Senators Chris West and Bill Folden.

Survivors Seeking Criminal Justice – Explanation of Decision Not to Prosecute – Reintroduction – HB174

Few sexual assault survivors seek help through the criminal justice system. When they do, State's Attorneys Offices do not always prosecute. This bill requires that, at the request of the victim, the prosecutor provide an explanation of this decision. Lead sponsors: Senator Karen Lewis Young and Delegate Karen Simpson.

SLAPP Suits – HB129

This bill clarifies and supports the exercise of constitutional rights to petition and exercise free speech by amending the law regarding SLAPP Suits – Strategic Lawsuits Against Public Participation. Sexual assault survivors across the country are increasingly facing lawsuits brought to discourage exercising their rights in college sexual misconduct proceedings and some survivors encouraged to speak out about sexual violence by the #MeToo movement have also been met with lawsuits designed to silence them. While not all of these retaliatory suits will qualify as SLAPP suits, some would. Lead sponsor: Delegate Sandy Rosenberg.

State Employees and Harassment – Time for Filing – HB309

Expanding the time that state employees have to file a harassment complaint. Lead sponsor: Delegate Karen Simpson.

Hear Our Voices Act – TIX – HB16

Requiring that schools notify K-12 students, parents, faculty and staff about title IX coordinators, process, and available supports for students who are victims of sexual misconduct at school. Lead sponsor: Delegate Jazz Lewis.

Child Pornography – Streaming – HB233/SB226

Adding streaming with the intent to view to the definition of possessing child pornography. Lead sponsors: Delegate Robin Grammer and Senator Johnny Salling.

Access to PrEP – SB64

Providing pharmacists with the authority to provide PrEP, medication to prevent HIV. This is important to rape survivors and also to people subject to sex trafficking. Lead sponsor: Senator Clarence Lam.

**Join MCASA to support this important legislation and learn more about how you can
help end sexual violence in Maryland
Visit mcasa.org and sign up for Legislative E-lets**

