

2022 Legislative Session Wrap-Up Human Trafficking Bills

Maryland Network Against Domestic Violence

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Bills that Passed

HB 270/SB 91: Innkeepers - Maintenance of Guest Records and Employee Human Trafficking Awareness Training and Policy

Sponsored by: Delegate Ebersole and Senator Jackson

- The bill requires an innkeeper to establish and maintain a computerized record-keeping system of all guest transactions and receipts that must be retained for 6 months. There shall be an educational and training programs for the accurate and prompt identification and reporting of suspected human trafficking. There shall be a procedure established by an innkeeper for reporting potential instances of human trafficking.

[HB 296/SB 280](#): Temporary Protective Orders – Electronic Filing and Video Conferencing Hearings

Sponsored by: Delegate Crutchfield and Senator Hettleman

- The bill enables any victim of crime eligible for a protective order to file a petition from hospitals, child advocacy centers, vulnerable adult programs, domestic violence programs, sexual assault programs, human trafficking programs, or any other location approved by the court and remotely attend the temporary order hearing. A hospital shall refer the petitioner to an appropriate domestic violence or sexual assault program if there is not one at the hospital

HB 817: Criminal Law – Violation of a Protective Order – Merger Prohibition and Separate Sentence Authorization

Sponsored by: Delegate Shetty

- This bill provides that a conviction for a violation of a protective order may not merge with a conviction for any other crime based on the act establishing the violation of the protective order. A court should be afforded discretion to determine an appropriate sentence based on the facts and circumstances of the case.

[HB 148](#)/[SB 328](#): Criminal Law – Stalking – Definition

Sponsored by: Delegate Bartlett and Senator Waldstreicher

- This bill expands the current list of conduct that constitutes stalking to include conduct occurring through electronic communication and the use of a device that can pinpoint or track the location of another.

SB 6/HB 86: Landlord and Tenant – Residential Leases – Tenant Rights and Protections (Tenant Protection Act of 2022)

Sponsored by: Delegate Stewart and Senator Waldstreicher

- This bill expands protections for survivors seeking to terminate future liability under their residential leases. The bill expands which victims of crime are tenants qualified to seek relief under this provision by referring to the definition of abuse in the Family Law Article. It also expands the approved methods of documentation of the survivor's abuse to include reports by a "qualified third party" such as physicians, psychologists, and social workers as well as advocates from a domestic violence or sexual assault program.
- Effective June 1, 2022

[SB 331](#)/HB 245: Program for Preventing HIV Infection for Rape Victims - Alterations and Repeal of Sunset

Sponsored by: Delegate Reznik and Senator King

- This bill repeals the program sunset and establishes permanently that upon request of a rape victim, and with a prescription from their medical provider, the state will pay for the full course of HIV prevention treatment known as non-occupational post exposure prophylaxis (nPEP). The permanent program also provides coverage of necessary, and critical, followup care for patients taking nPEP.
- Effective July 1, 2022

[HB 459](#) and [SB 691](#): Juvenile Justice Reform

Sponsored by: Delegate Clippinger and Senator Carter

- This bill limits the jurisdiction of the court for children under the age of 13 to children aged 10 and older if charged with a crime of violence as defined by §14-101 of the Criminal Law Article. The bill expands the informal adjustment process to divert children away from the juvenile system. The bill also limits the length of terms of probation, the use of detention, and use of out-of-home placements. There are numerous reporting requirements and Establishes the Commission on Juvenile Justice Reform and Emerging Best Practices.
- Effective June 1, 2022

HB 269/[SB 53](#): Child Interrogation Protection Act

Sponsored by: Delegate Bartlett and Senator Carter

- This bill requires a child consult with an attorney prior to a custodial interrogation. A law enforcement officer must make an effort reasonably calculated to give actual notice to the parent, guardian, or custodian of the child that the child will be interrogated. There is a rebuttable presumption that a statement made is inadmissible if law enforcement willfully fails to comply with this bills requirements. When a law enforcement officer reasonably believes information is needed to protect against a threat to public safety the parent notification and attorney consultation provisions do not apply.

SB 819: Governor's Office of Crime Prevention, Youth, and Victim Services - Executive Director - Appointment

Sponsored by: Senator Hettleman

- This bill requires the Governor to appoint the Executive Director of the Governor's Office of Crime Prevention, Youth, and Victim Services with the advice and consent of the Senate.
- Governor **VETOED** the bill.

Bills that Failed

HB 833/SB 768: Safe Harbor

Sponsored by: Delegate Lierman and Senator Lee

- This bill would have created a Safe Harbor for child victims of sex trafficking charged with prostitution and related non-violent misdemeanor offenses.

HB 165: Sexual Abuse and Assault Awareness and Prevention Program - Human and Sex Trafficking

Sponsored by: Delegate Johnson

- This bill would have required certain schools including public schools to develop and implement a program of age-appropriate education on the awareness and prevention of sexual abuse and assault that includes, for students in grades 6 through 8, material promoting the awareness and prevention of human and sex trafficking.

SB 767: Human Trafficking - Vacatur and Expungement

Sponsored by: Senator Lee

- This bill would have made technical changes to the vacatur process for survivors of trafficking.

SB 31: Public Information Act – Inspection of Records From Body–Worn Digital Recording Devices

Sponsored by: Senator Sydnor

- This bill would have limited the viewing and release of body-worn camera footage in limited circumstances including those of domestic violence and sexual assault.

HB 114/SB 129: Access to Counsel in Immigration Proceedings Program

Sponsored by: Delegate Williams and Senator Hettleman

- This bill would have established the Access to Counsel in Immigration Proceedings Program to be administered by the Maryland Legal Services Corporation to provide access to legal representation for certain covered individuals who are detained in the United States facing possible deportation proceedings. The covered individuals include Maryland residents detained in the United States and not represented by counsel that earn below a set threshold.

HB 323: Limitations on Summoning Law Enforcement or Emergency Services - Prohibition

Sponsored by: Delegate Palakovich Carr

- This bill would have prohibited a landlord from including provisions in a lease that limits a tenant's ability to summons law enforcement or emergency services or penalizes a tenant for doing so.

QUESTIONS?