

HOUSE BILL 1076

F2

(6lr2661)

ENROLLED BILL

— Appropriations and Health/Education, Energy, and the Environment —

Introduced by **Delegate Smith**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Higher Education Institutions – Over-the-Counter Contraception – Access and**
3 **Reporting**

4 FOR the purpose of requiring each public senior higher education institution and
5 community college to submit a certain report on contraception access to the
6 Maryland Higher Education Commission each year; requiring the Commission to
7 submit a certain report on contraception access to the General Assembly each year;
8 requiring each community college to provide students with access to all methods of
9 over-the-counter contraception; and generally relating to public senior higher
10 education institutions and community colleges and contraception access
11 requirements.

12 BY adding to
13 Article – Education
14 Section 11–407.2

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 Annotated Code of Maryland
2 (2022 Replacement Volume and 2025 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Education
5 Section 16–111
6 Annotated Code of Maryland
7 (2022 Replacement Volume and 2025 Supplement)

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

10 **Article – Education**

11 **11–407.2.**

12 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
13 **INDICATED.**

14 **(2) “COMMUNITY COLLEGE” MEANS A COMMUNITY COLLEGE**
15 **ESTABLISHED UNDER TITLE 16 OF THIS ARTICLE.**

16 **(3) “OVER–THE–COUNTER CONTRACEPTION” MEANS A**
17 **CONTRACEPTIVE DRUG OR DEVICE APPROVED BY THE FEDERAL FOOD AND DRUG**
18 **ADMINISTRATION THAT CAN BE OBTAINED FOR USE WITHOUT A PRESCRIPTION.**

19 **(4) (I) “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION”**
20 **MEANS:**

21 **1. THE CONSTITUENT INSTITUTIONS OF THE**
22 **UNIVERSITY SYSTEM OF MARYLAND;**

23 **2. MORGAN STATE UNIVERSITY; OR**

24 **3. ST. MARY’S COLLEGE OF MARYLAND.**

25 **(II) “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION” DOES**
26 **NOT INCLUDE:**

27 **1. THE UNIVERSITY OF MARYLAND CENTER FOR**
28 **ENVIRONMENTAL SCIENCE; OR**

29 **2. THE UNIVERSITY OF MARYLAND GLOBAL CAMPUS.**

1 **(B) ON OR BEFORE SEPTEMBER 1, 2026, AND EACH SEPTEMBER 1**
2 **THEREAFTER, ON A FORM PROVIDED BY THE COMMISSION, EACH PUBLIC SENIOR**
3 **HIGHER EDUCATION INSTITUTION AND COMMUNITY COLLEGE SHALL SUBMIT A**
4 **REPORT TO THE COMMISSION ON THE PROVISION OF OVER-THE-COUNTER**
5 **CONTRACEPTION ON CAMPUS, INCLUDING:**

6 **(1) HOW STUDENTS ARE PROVIDED ACCESS TO OVER-THE-COUNTER**
7 **CONTRACEPTION ON CAMPUS;**

8 **(2) WHETHER THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION**
9 **OR COMMUNITY COLLEGE HAS PROVIDED ACCESS TO ALL METHODS OF**
10 **OVER-THE-COUNTER CONTRACEPTION AS REQUIRED UNDER §§ 15-136 AND 16-111**
11 **OF THIS ARTICLE;**

12 **(3) THE AMOUNT OF OVER-THE-COUNTER CONTRACEPTION**
13 **PROVIDED ON CAMPUS, DISAGGREGATED BY EACH METHOD OF OVER-THE-COUNTER**
14 **CONTRACEPTION; AND**

15 **(4) A DESCRIPTION OF HOW THE PUBLIC SENIOR HIGHER EDUCATION**
16 **INSTITUTION OR COMMUNITY COLLEGE HAS CONSULTED WITH STUDENTS AND**
17 **STUDENT ORGANIZATIONS IN RELATION TO PROVIDING OVER-THE-COUNTER**
18 **CONTRACEPTION ON CAMPUS.**

19 **(C) ON OR BEFORE OCTOBER 1, 2026, AND EACH OCTOBER 1 THEREAFTER,**
20 **THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE**
21 **WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE INFORMATION**
22 **PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.**

23 16-111.

24 (a) In this section, “over-the-counter contraception” means a contraceptive drug
25 or device approved by the federal Food and Drug Administration that can be obtained for
26 use without a prescription.

27 (b) (1) On or before August 1, 2025, each community college, in consultation
28 with students and student organizations, shall develop and implement a plan to provide
29 students with access to **ALL METHODS OF** over-the-counter contraception.

30 (2) The plan under paragraph (1) of this subsection shall include access to
31 over-the-counter contraception through:

32 (i) The student health center;

33 (ii) Retail establishments on campus;

1 (iii) Vending machines; or

2 (iv) Any other method that provides all students access when on
3 campus.

4 (c) [(1) On or before September 1, 2025, and each September 1 thereafter, on a
5 form provided by the Commission, each community college shall submit a report to the
6 Commission on implementation of the plan required under this section, including:

7 (i) How students are provided access to over-the-counter
8 contraception on campus;

9 (ii) Available information regarding the amount of over-the-counter
10 contraception provided on campus; and

11 (iii) A description of how the community college has consulted with
12 students and student organizations to develop and implement the plan under this section.

13 (2) On or before October 1, 2025, and each October 1 thereafter, the
14 Commission shall report to the General Assembly, in accordance with § 2-1257 of the State
15 Government Article, on the information collected from the community colleges under
16 paragraph (1) of this subsection.

17 (d)] The Maryland Department of Health, on request, may provide assistance to a
18 community college in:

19 (1) Developing a plan under this section; and

20 (2) Consulting and collaborating with organizations with expertise in
21 providing access to over-the-counter contraception through vending machines.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.