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PRESS RELEASE

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On The Heels of Landmark Justice and Equity Bills, Maryland Attorney General Brown Achieves Additional Legislative Milestones as Bills Creating a Safer Maryland Are Signed into Law
Consumer Protections Against Price Gouging and Support for Victims of Sexual Assault Among Key Bills Signed into Law by Governor Moore

BALTIMORE, MD (May 16, 2023) – Along with expanded authorities for the Office of the Attorney General to protect Marylanders' civil rights and build on police reform, Governor Wes Moore also signed into law today the Attorney General's remaining legislative priorities. These bills focus on enhancing public safety, protecting our most vulnerable, and prosecuting those who harm the environment and our natural resources.

"When I took the Oath of Office, I declared that my agenda was ambitious. Today provides further proof of my commitment to work for all Marylanders, as I very much intend to live up to their expectations," **said Attorney General Brown**. "As Maryland's Chief Legal Officer, I have sworn to do all I can to protect our residents from harm. These bills give me the tools to do just that."

In addition to the Civil Rights Enforcement Act, the Independent Investigations Division Prosecutorial Authority, and other equity bills signed today:

<https://www.marylandattorneygeneral.gov/press/2023/051623a.pdf>, other key priorities of the Attorney General signed into law include measures that protect consumers against price gouging during states of emergency, increased safeguards for sexual assault survivors through improved handling and tracking of evidence kits, and enhanced public safety through the expansion of our Organized Crime Unit and our new Environmental and Natural Resources Crimes Unit. All these bills, on top of those signed last month that enable the Attorney General to take more immediate action with respect to illegal assisted living facilities and exercise more oversight of cigarette wholesalers, give the Office additional tools to keep Marylanders safe.

"Our work does not stop here. Through legislation protecting consumers, safeguarding vulnerable residents, supporting sexual assault survivors, and strengthening oversight across industries, we demonstrate our unwavering dedication to the well-being and safety of every

Marylander,” **said Attorney General Brown.** “We refuse to let anyone fall through the cracks through neglect or exploitation.”

Consumer Protections Against Price Gouging (House Bill 775/Senate Bill 542)



After many unsuccessful efforts by the Office of the Attorney General and consumer advocates, this law will finally allow Maryland to join more than 30 states and the District of Columbia that already ban price gouging in some form during states of emergency. When the Governor declares a state of emergency, this statute, with certain exceptions, prohibits the sale of essential goods and services by any business at a price of 15% or more above the highest amount charged prior to the state of emergency. Price gouging will constitute a violation of the Consumer Protection Act and entitle consumers to compensation for inflated charges.

Maryland established a similar, temporary price gouging ban during the COVID-19 pandemic, and the Attorney General’s Consumer Protection Division received over 900 price gouging complaints during the pandemic. The Attorney General’s Office and consumers alike have long called for a permanent ban.

Sexual Assault Evidence Collection Kits Legislation (House Bill 759/Senate Bill 615 and House Bill 758/Senate Bill 789)

A top priority of the Attorney General, this package of legislation responds to concerns about the testing and handling of sexual assault evidence collection kits that have left survivors uncertain about whether their test kit is properly handled and the status of law enforcement investigations of their cases.

In keeping with the Attorney General’s commitment to enhance justice and accountability in sexual assault cases, the first bill requires the Governor’s Office of Crime Prevention, Youth, and

Victim Services to establish a statewide sexual assault evidence kit (SAEK) reporting and tracking system. This new system will help to ensure that the evidence used to prosecute the perpetrators of rape and sexual assault will be better safeguarded and protected. Specifically, it requires any party with custody of a SAEK – health care providers, forensic lab personnel, law enforcement agencies, and prosecutors – to enter the kit’s status and location into a tracking system, which will be accessible only to survivors and key stakeholders.

The second bill extends the time in which law enforcement agencies and hospitals must preserve sexual assault evidence kits from 20 to 75 years. It also requires law enforcement agencies to keep evidence obtained from self-administered kits and directs the Attorney General to issue guidance on the potential pitfalls of using these kits, including their admissibility in a criminal prosecution, and to identify other resources for sexual assault survivors.

Expanded Criminal Enforcement Authority and Funding

Environmental and Natural Resources Crimes Unit (House Bill 874)

This legislation creates the Environmental and Natural Resources Crimes Unit which expands the Office’s statutory authority to investigate and prosecute violations of the State’s criminal laws designed to protect these vital resources.

Organized Crime Unit (House Bill 200) *signed into law on April 24, 2023

The Attorney General’s Organized Crime Unit received a significant increase in personnel to expand its capacity to investigate and prosecute drug and narcotics trafficking, retail crimes, human trafficking, organized carjacking rings, and other violent crimes perpetrated by organized groups. This expansion enables the Attorney General to advance his commitment to reducing violent crime and enhancing public safety.

Finally, rounding out the Attorney General’s key legislative goals, the following two bills were signed into law by the Governor on April 11, 2023.

Cigarettes – Wholesalers – Disclosure of Information (House Bill 777/Senate Bill 541)

This legislation strengthens oversight of licensed tobacco wholesalers by requiring that they must submit complete and accurate manufacturer and brand reports to the Maryland Comptroller monthly. This mandate will reduce the chances that erroneous reporting could affect Maryland’s monetary recovery by millions of dollars under the 1998 Master Tobacco Settlement Agreement (MSA). The MSA, an agreement between most state Attorneys General and the four largest cigarette manufacturers in the United States, requires the tobacco industry to pay states billions of dollars each year in perpetuity and imposes restrictions on cigarette sales and marketing.

Assisted Living Programs – The Senator Delores Kelley Residents of Unlicensed Programs Protection Act (House Bill 774/Senate Bill 665)

This newly enacted law, which is the product of a collaborative effort between the Office of the Attorney General and multiple state agencies, advocates, and community stakeholders, provides the Attorney General with the authority to immediately act to protect some of our most vulnerable Marylanders – residents of unlicensed assisted living facilities – from abuse, neglect, and exploitation. This important law increases regulatory oversight and enables the Attorney General to take immediate legal action when necessary to protect residents from continuing harm.

The Attorney General thanked Governor Wes Moore, Lieutenant Governor Aruna Miller, Senate President Bill Ferguson, Speaker Adrienne Jones, and all the members of the Maryland General Assembly for their dedication and partnership, which were instrumental in the successful passage of these landmark bills. Their collective efforts paved the way for a safer, healthier, and more equitable Maryland for all residents.

<https://www.marylandattorneygeneral.gov/press/2023/051623b.pdf>