

HOUSE BILL 728

D5

0lr2058
CF SB 1007

By: Delegates Hill, Ebersole, and Qi Qi, Bagnall, Barron, Belcastro, Bhandari, Carr, Charles, Cullison, Johnson, Kelly, Kerr, Kipke, R. Lewis, Pena-Melnyk, Pendergrass, Rosenberg, and K. Young

Introduced and read first time: January 30, 2020
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 10, 2020

CHAPTER _____

1 AN ACT concerning

2 **Employment Discrimination and Discriminatory Housing Practices – Time for**
3 **Filing Complaints**

4 FOR the purpose of extending the time periods within which a person claiming to be
5 aggrieved by certain discriminatory acts is required to file a complaint with the
6 Commission on Civil Rights; providing that a complaint filed with a local human
7 relations commission within certain time periods is deemed to have complied with
8 certain provisions of this Act; and generally relating to employment and housing
9 discrimination complaints.

10 BY repealing and reenacting, with amendments,
11 Article – State Government
12 Section 20-1004 and 20-1021(a)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2019 Supplement)

15 ~~BY repealing and reenacting, without amendments,~~
16 ~~Article – State Government~~
17 ~~Section 20-1020(a), (b), and (c)~~
18 ~~Annotated Code of Maryland~~
19 ~~(2014 Replacement Volume and 2019 Supplement)~~

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.



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

3 **Article – State Government**

4 20–1004.

5 (a) Any person claiming to be aggrieved by an alleged discriminatory act may file
6 a complaint with the Commission.

7 (b) The complaint shall:

8 (1) be in writing;

9 (2) state:

10 (i) the name and address of the person or State or local unit alleged
11 to have committed the discriminatory act; and

12 (ii) the particulars of the alleged discriminatory act;

13 (3) contain any other information required by the Commission; and

14 (4) be signed by the complainant under oath.

15 (c) (1) (i) Except as provided in [paragraph] **PARAGRAPHS (2) AND (3)** of
16 this subsection, a complaint shall be filed within 6 months after the date on which the
17 alleged discriminatory act occurred.

18 (ii) A complaint filed with a federal or local human relations
19 commission within 6 months after the date on which the alleged discriminatory act occurred
20 shall be deemed to have complied with subparagraph (i) of this paragraph.

21 (2) **(I) A COMPLAINT ALLEGING AN UNLAWFUL EMPLOYMENT**
22 **PRACTICE OTHER THAN HARASSMENT SHALL BE FILED WITHIN 300 DAYS AFTER THE**
23 **DATE ON WHICH THE ALLEGED DISCRIMINATORY ACT OCCURRED.**

24 **(II) A COMPLAINT FILED WITH A FEDERAL HUMAN RELATIONS**
25 **COMMISSION WITHIN 6 MONTHS OR A LOCAL HUMAN RELATIONS COMMISSION**
26 **WITHIN 300 DAYS SHALL BE DEEMED TO HAVE COMPLIED WITH SUBPARAGRAPH (I)**
27 **OF THIS PARAGRAPH.**

28 **(3) (i)** A complaint alleging harassment against an employer shall be
29 filed within 2 years after the date on which the alleged harassment occurred.

1 (ii) A complaint filed with a federal human relations commission
2 within 6 months or a local human relations commission within 2 years after the date on
3 which the alleged harassment occurred shall be deemed to have complied with
4 subparagraph (i) of this paragraph.

5 (d) The Commission, on its own motion, and by action of at least three
6 commissioners, may issue a complaint in its name in the same manner as if the complaint
7 had been filed by an individual, if:

8 (1) the Commission has received reliable information from an individual
9 that a person has been or is engaged in a discriminatory act; and

10 (2) after a preliminary investigation by the Commission's staff authorized
11 by the chair or vice-chair, the Commission is satisfied that the information warrants the
12 filing of a complaint.

13 ~~20-1020.~~

14 (a) ~~In this part the following words have the meanings indicated.~~

15 (b) ~~"Aggrieved person" means any person that claims to have been injured by a~~
16 ~~discriminatory housing practice.~~

17 (c) ~~"Discriminatory housing practice" means an act that is prohibited under §~~
18 ~~20-705, § 20-706, § 20-707, or § 20-708 of this title.~~

19 ~~20-1021.~~

20 (a) (1) ~~An aggrieved person may file a complaint with the Commission alleging~~
21 ~~a discriminatory housing practice.~~

22 (2) ~~The complaint shall be filed within [1 year] 18 MONTHS after the~~
23 ~~alleged discriminatory housing practice occurred or terminated.~~

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2020.