

HB1596/367375/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1596
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after the semicolon insert “requiring certain employers to submit a certain survey to the Commission on Civil Rights on or before a certain date each year; requiring employers to submit a certain survey electronically; requiring the Commission to include a certain space in a certain survey for a certain purpose; requiring the Commission to publish and make accessible to the public certain information in a certain manner; requiring the Commission to take certain actions related to certain surveys and submit a certain executive summary to the Governor and certain committees of the General Assembly on or before a certain date each year; defining certain terms;”.

On page 2, after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – State Government

Section 20–101(a) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

BY adding to

Article – State Government

Section 20–208

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)”.

AMENDMENT NO. 2

(Over)

On page 2, in line 22, strike “FUTURE”; in line 23, after “CLAIM” insert “THAT ACCRUES IN THE FUTURE”; and in line 35, after “(I)” insert “FAILURE TO HIRE”.

On page 3, in line 1, before “DISCHARGE” insert “(II)”; in lines 2, 3, 4, and 6, strike “(II)”, “(III)”, “(IV)”, and “(V)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively; and after line 12, insert:

“Article – State Government

20–101.

(a) In Subtitles 1 through 11 of this title the following words have the meanings indicated.

(b) “Commission” means the Commission on Civil Rights.

20–208.

(A) IN THIS SECTION, “EMPLOYER” MEANS AN EMPLOYER WITH 50 OR MORE EMPLOYEES.

(B) (1) ON OR BEFORE JULY 1 EACH YEAR, AN EMPLOYER SHALL SUBMIT A SHORT SURVEY TO THE COMMISSION ON:

(I) THE NUMBER OF SETTLEMENTS MADE BY OR ON BEHALF OF THE EMPLOYER AFTER AN ALLEGATION OF SEXUAL HARASSMENT BY AN EMPLOYEE;

(II) THE NUMBER OF TIMES THE EMPLOYER HAS PAID A SETTLEMENT TO RESOLVE A SEXUAL HARASSMENT ALLEGATION AGAINST THE SAME EMPLOYEE OVER THE PAST 10 YEARS OF EMPLOYMENT; AND

(III) THE NUMBER OF SETTLEMENTS MADE AFTER AN ALLEGATION OF SEXUAL HARASSMENT THAT INCLUDED A PROVISION REQUIRING BOTH PARTIES TO KEEP THE TERMS OF THE SETTLEMENT CONFIDENTIAL.

(2) (I) AN EMPLOYER SHALL SUBMIT THE SURVEY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE COMMISSION ELECTRONICALLY.

(II) THE COMMISSION SHALL INCLUDE IN THE SURVEY A SPACE FOR AN EMPLOYER TO REPORT WHETHER THE EMPLOYER TOOK PERSONNEL ACTION AGAINST AN EMPLOYEE WHO WAS THE SUBJECT OF A SETTLEMENT INCLUDED IN THE SURVEY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

(C) (1) THE COMMISSION SHALL PUBLISH AND MAKE ACCESSIBLE TO THE PUBLIC:

(I) BY POSTING ON THE COMMISSION'S WEBSITE, THE AGGREGATE NUMBER OF RESPONSES FROM EMPLOYERS FOR EACH ITEM LISTED UNDER SUBSECTION (B) OF THIS SECTION; AND

(II) BY RETAINING FOR PUBLIC INSPECTION ON REQUEST, THE RESPONSE FROM A SPECIFIC EMPLOYER REGARDING THE NUMBER OF SETTLEMENTS INCLUDED IN THE SURVEY UNDER SUBSECTION (B)(1)(II) OF THIS SECTION.

(2) ON OR BEFORE DECEMBER 15 EACH YEAR, THE COMMISSION SHALL:

(Over)

(I) REVIEW A RANDOM SELECTION OF SURVEYS SUBMITTED UNDER SUBSECTION (B) OF THIS SECTION;

(II) CREATE AN EXECUTIVE SUMMARY OF THE RANDOMLY SELECTED SURVEYS, REDACTING ANY IDENTIFYING INFORMATION FOR SPECIFIC EMPLOYERS; AND

(III) SUBMIT THE EXECUTIVE SUMMARY TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE SENATE FINANCE COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE.”.