

Department of Legislative Services  
Maryland General Assembly  
2007 Session

FISCAL AND POLICY NOTE

House Bill 945 (Delegate Jones, *et al.*)  
Health and Government Operations

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**Human Relations - Sexual Orientation and Gender Identity and Expression -  
Antidiscrimination**

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This bill prohibits discrimination based on “gender identity and expression” in public accommodations, labor and employment, and housing. Gender identity and expression is defined as an individual’s gender-related identity, appearance, expression, or behavior regardless of the individual’s assigned sex at birth.

The bill exempts the rental of rooms or apartments in an owner’s principal residence from provisions of the bill relating to housing discrimination.

The bill also prohibits discrimination based on gender identity and expression and sexual orientation in State personnel actions.

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**Fiscal Summary**

**State Effect:** None. Although the bill may result in additional cases for the Judiciary, the Human Relations Commission, and the Office of Administrative Hearings, any increase in workload is expected to be minimal and could be absorbed within existing resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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## Analysis

**Current Law:** Discrimination in public accommodations, labor and employment, and housing on the basis of race, sex, creed, color, religion, national origin, marital status, disability, and sexual orientation is prohibited.

Chapter 340 of 2001 added a prohibition against discrimination in public accommodations, labor and employment, and housing on the basis of sexual orientation to the prior list of prohibitions. The Act did not specifically prohibit discrimination in State personnel actions on the basis of sexual orientation.

**Background:** Employment discrimination on the basis of gender identity is prohibited by statutes in California, the District of Columbia, Minnesota, New Mexico, and Rhode Island. In addition, courts have extended some protection to transsexual individuals under existing discrimination law in Connecticut, Hawaii, Massachusetts, New Jersey, and New York.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 516 (Senators Gladden and Madaleno) – Judicial Proceedings.

**Information Source(s):** Human Relations Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2007  
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