

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 516 (Senators Gladden and Madaleno)
Judicial Proceedings

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

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.

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.

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.

Additional Information

Prior Introductions: None.

Cross File: HB 945 (Delegate Jones, *et al.*) – Health and Government Operations.

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

Fiscal Note History: First Reader - February 26, 2007
mll/jr

Analysis by: Nicholas M. Goedert

Direct Inquiries to:
(410) 946-5510
(301) 970-5510