

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1560

(Prince George's County Delegation and Montgomery
County Delegation)

Health and Government Operations

Finance

Washington Suburban Sanitary Commission - Discrimination - Prohibited
PG/MC 103-20

This bill prohibits the Washington Suburban Sanitary Commission (WSSC) from discriminating against a person on the basis of “genetic information” or “family responsibilities.” The bill also requires the mandatory nondiscrimination provisions in contracts entered into by WSSC to also prohibit discrimination based on genetic information.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill does not materially affect WSSC’s operations or finances.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: WSSC is prohibited from discriminating against a person on the basis of sex, race, creed, color, age, mental or physical disability, sexual orientation, religion, marital status, gender identity, or national origin. The bill adds that WSSC is also prohibited from discriminating against a person on the basis of genetic information or family responsibilities.

“Genetic information” means information:

- about chromosomes, genes, gene products, or inherited characteristics that may derive from an individual or a family member;
- obtained for diagnostic and therapeutic purposes; and
- obtained at a time when the individual to whom the information relates is asymptomatic for the disease.

“Genetic information” does not include:

- routine physical measurements;
- chemical, blood, and urine analyses that are widely accepted and in use in clinical practice;
- tests for use of drugs; or
- tests for the presence of the human immunodeficiency virus.

“Family responsibilities” means the legal responsibility for the care and support of a dependent individual.

In addition, WSSC may not enter into a contract unless the contract contains a provision obliging the contractor (1) not to discriminate in any manner against an employee or an applicant for employment on the basis of sex, race, creed, color, age, mental or physical disability, sexual orientation, religion, marital status, gender identity, or national origin and (2) to include a similar nondiscrimination provision in all subcontracts. The bill adds that the nondiscrimination provision must also prohibit discrimination on the basis of genetic information.

Background:

WSSC

WSSC is among the largest water and wastewater utilities in the country, providing water and sewer services to 1.8 million residents in Montgomery and Prince George’s counties. It has approximately 475,000 customer accounts, serves an area of approximately 1,000 square miles, and currently employs more than 1,500 people. The commission operates three reservoirs, two water filtration plants, and six wastewater treatment plants. The six wastewater treatment facilities, as well as the Blue Plains Advanced Wastewater Treatment Plant, handle more than 200 million gallons of wastewater per day. The commission maintains more than 5,700 miles of water main lines and over 5,500 miles of sewer main lines.

Montgomery County Code

The Montgomery County Code prohibits employment discrimination due to a person's genetic status.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Commission on Civil Rights; Washington Suburban Sanitary Commission; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2020
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