

Department of Legislative Services  
 Maryland General Assembly  
 2020 Session

FISCAL AND POLICY NOTE  
 Third Reader

House Bill 706

(Delegate Qi, *et al.*)

Health and Government Operations

Judicial Proceedings

Commission on LGBTQ Affairs - Established

This bill establishes the Commission on LGBTQ Affairs in the Governor’s Office of Community Initiatives (GOCI). The commission must (1) assess the challenges facing lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities; (2) collect data across State agencies on the implementation of LGBTQ-inclusive policies and complaints alleging discrimination based on sexual orientation or gender identity; (3) study and establish best practices for inclusion of LGBTQ individuals and communities; (4) work with local governments to pass laws that are inclusive of LGBTQ individuals; and (5) publish an annual report, and any other material the commission considers necessary, that includes recommendations on policies for LGBTQ adults and youth that work to end discriminatory practices in the State.

Fiscal Summary

**State Effect:** General fund expenditures increase by \$48,300 in FY 2021. Future years reflect annualization. No anticipated material effect on revenues.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	48,300	79,200	80,900	84,800	86,300
Net Effect	(\$48,300)	(\$79,200)	(\$80,900)	(\$84,800)	(\$86,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** The bill does not directly affect local government expenditures. Revenues are not affected.

**Small Business Effect:** None.

## Analysis

**Bill Summary:** “LGBTQ” means lesbian, gay, bisexual, transgender, and queer.

The commission consists of 15 members appointed by the Governor with the advice and consent of the Senate. The members must (1) to the extent practicable, reflect the gender, racial, ethnic, and geographic diversity of the State; (2) know about issues facing LGBTQ communities and be sensitive to the problems of these communities; (3) be representatives of the State’s LGBTQ communities or have an interest in the success of these communities; and (4) provide value to the work of the commission. Members serve four-year terms, as specified.

The commission must annually elect a chair and vice chair from among its members. Members of the commission may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

With the approval of the Governor, the commission must appoint a director, who may not be a member of the commission. The director serves at the pleasure of the commission, subject to the concurrence of the Governor. The director is a special appointment in the State Personnel Management System. Subject to the rules and policies adopted by the commission and the administrative supervision of the Governor, the director must (1) administer the activities of the commission and (2) supervise the appointment and removal of commission personnel.

The commission may seek money from the federal government, foundations, and private sources in addition to State financing. The commission may accept gifts, grants, donations, bequests, or endowments for any of its purposes. Any funding received from these sources is subject to audit by the State, including the Legislative Auditor.

**Current Law:** Discrimination based on sexual orientation or gender identity is prohibited under specified State laws, including those regarding employment, housing, and places of public accommodation.

**Background:** GOCI’s mission is to serve as a coordinating office for the Governor that connects State residents to economic, volunteer, and human service opportunities through government, business, and nonprofit partners. To address that core mission, GOCI’s outreach efforts encompass the State’s geographic areas, ethnic groups, and faith communities.

**State Expenditures:** General fund expenditures increase by \$48,265 in fiscal 2021 for the commission to hire a director. This estimate assumes a January 1, 2021 start date for the

director. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1
Salary and Fringe Benefits	\$38,257
Travel and Operating Expenses	<u>10,008</u>
<b>Total FY 2021 State Expenditures</b>	<b>\$48,265</b>

Future year expenditures reflect a full salary with an annual increase and employee turnover and ongoing operating expenses. Otherwise, GOCI can use existing resources to handle any additional administrative work anticipated under the bill.

Any expense reimbursements for commission members are assumed to be minimal and absorbable within existing budgeted resources. It is also assumed that State agencies can use existing resources to provide any available data to the commission.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Commission on Civil Rights; Governor's Office; Department of Budget and Management; Department of Legislative Services - Office of Legislative Audits; Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2020  
rh/jkb Third Reader - March 12, 2020

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