

# State of Maryland

## Commission on Civil Rights

*“Our vision is to have a State that is free from any trace of unlawful discrimination.”*



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February 25, 2020

### **House Bill 728 – Employment Discrimination and Housing Discriminatory Practices – Time for Filing Complaints Position: Support**

Dear Chairperson Pendergrass, Vice Chairperson Peña-Melnyk, and Members of the House Health & Government Operations Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, and physical and mental disability.

House Bill 728 extends the statute of limitations to file a complaint of alleged unlawful employment or housing discrimination with the Maryland Commission on Civil Rights. For employment, the statute of limitations is altered from 6 months to 300 days from the date of the alleged unlawful incident, and in housing the statute of limitations is altered from 1 year to 18 months.

Currently, federal law with respect to employment discrimination permits an aggrieved party to file a complaint of alleged unlawful discrimination with the U.S. Equal Employment Opportunity Commission (“EEOC”) within 300 days of the alleged unlawful act. Amending state law to conform to federal law will ensure that Marylanders who believe they are a victim of unlawful employment discrimination have equal access to MCCR as they currently enjoy with the EEOC. Any additional complaints (based on age, race, color, national origin, religion, sex, disability, genetic information, sexual orientation, and/or gender identity) resulting from this bill would be eligible for federal reimbursement under MCCR’s contractual worksharing agreement with the EEOC.

Similarly, state and federal fair housing laws permit an individual to file a complaint of unlawful housing discrimination with both MCCR and the U.S. Department of Housing & Urban Development (“HUD”) within 1 year of the alleged unlawful act. HB728 would grant individuals additional time to file a housing discrimination complaint with MCCR. As a result, housing discrimination complaints filed beyond 1 year to 18 months from the date of the alleged unlawful

act would not be eligible for reimbursement under MCCR's contractual worksharing agreement with HUD.

At this time, MCCR does not expect for this amendment to Maryland's fair housing law to have an impact on agency operations or resources. However, it is important to keep in mind that if this provision of HB728 results in a substantial increase in the number of housing discrimination complaints filed with the agency, then additional funding from the State would be needed to hire additional investigators to absorb that caseload. That being said, MCCR is unable to anticipate how much of an increase could be seen under this provision of HB728, if any increase is seen at all.

For these reasons, MCCR urges the committee to vote favorably on HB728. Thank you for your consideration of this testimony. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.