

CLARENCE K. LAM, M.D., M.P.H.
Legislative District 12
Baltimore and Howard Counties

Education, Health, and Environmental Affairs
Committee

Executive Nominations Committee

Joint Committee on Ending Homelessness

Chair

Joint Committee on Fair Practices and
State Personnel Oversight

Chair

Howard County Senate Delegation



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Miller Senate Office Building
11 Bladen Street, Room 420
Annapolis, Maryland 21401
410-841-3653 • 301-858-3653
800-492-7122 Ext. 3653
Clarence.Lam@senate.state.md.us

Support: SB 250

Human Relations – Employment Discrimination – Waiver of Immunity From Suit in Federal Court and Venue

Issue:

- United States Court of Appeals for the Fourth Circuit ruled in *Pense v. Maryland Dept of Public Safety and Correctional Services* that Maryland is immune to employment discrimination lawsuits in federal court
- The court found that the waiver of sovereign immunity in State Government § 20-903 wasn't specific enough to include federal courts
- Maryland employees will be limited in their ability to redress employment discrimination
- *Pense* may also prevent housing discrimination suits from being filed against the state in federal court

What SB 250 does:

- Prohibits the state from raising a sovereign immunity defense in discrimination cases
- Permits employment and housing discrimination cases against the state to be filed in federal court or state court