



MARYLAND
CATHOLIC
CONFERENCE

February 21, 2024

HB 602

Employment Discrimination – Sexual Orientation

House Economic Matters Committee

Position: Information Only

The Maryland Catholic Conference (MCC) offers this testimony as information concerning House Bill 602. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

House Bill 602 changes certain provisions of Maryland law prohibiting employment discrimination on the basis of sex and gender identity and prohibits employment discrimination on the basis of sexual orientation. The term "sexual orientation" is added to what is known as the Maryland Equal Pay for Equal Work Act (sec. 3-304).

In some circumstances, altering statutes (sec. 3-304) to include "sexual orientation" could result in situations where the court would be forced to reconcile the statute with longstanding constitutional law. It might also force the courts into the very problematic area of questioning or defining the scope or legitimacy of sincerely held religious beliefs, which prior precedent cautions against.

HB 602 should include a religious employer exemption to 3-304 so as not to undermine fundamental religious freedoms that religious employers should have in a pluralistic society; rights that are protected by the First Amendment.

HB 602 does not seem to align with existing legal frameworks and precedents that recognize the right of religious organizations to conduct their affairs in accordance with their beliefs. Legislation in this area must seek to uphold constitutional freedoms, such as religious liberty, so as not to lead to unneeded litigation.

Thank you for your consideration of the information presented in this testimony regarding HB 602.

