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By: Delegate Curran

Introduced and read first time: January 19, 1998 Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT conc	erning
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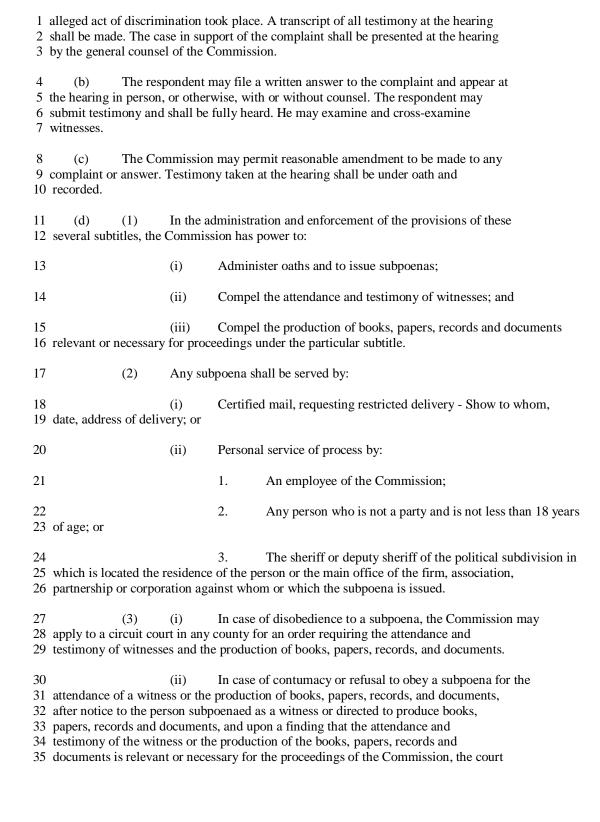
2 Maryland Human Relations Commission - Hearings - Relief

- $3\,$ FOR the purpose of altering certain provisions relating to the Maryland Human
- 4 Relations Commission; making a technical change clarifying that certain
- documents shall be certified to the General Counsel; specifying that the
- 6 Executive Director, rather than the Chairman, shall cause a certain notice to be
- 7 issued and served; expanding relief to include compensatory damages, subject to
- 8 certain limitations; altering the jurisdiction of the Commission over certain
- 9 employers; making stylistic changes; and generally relating to hearings and
- 10 relief under the Human Relations Commission law.
- 11 BY repealing and reenacting, with amendments,
- 12 Article 49B Human Relations Commission
- 13 Section 11 and 15(b)
- 14 Annotated Code of Maryland
- 15 (1994 Replacement Volume and 1997 Supplement)
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 17 MARYLAND, That the Laws of Maryland read as follows:

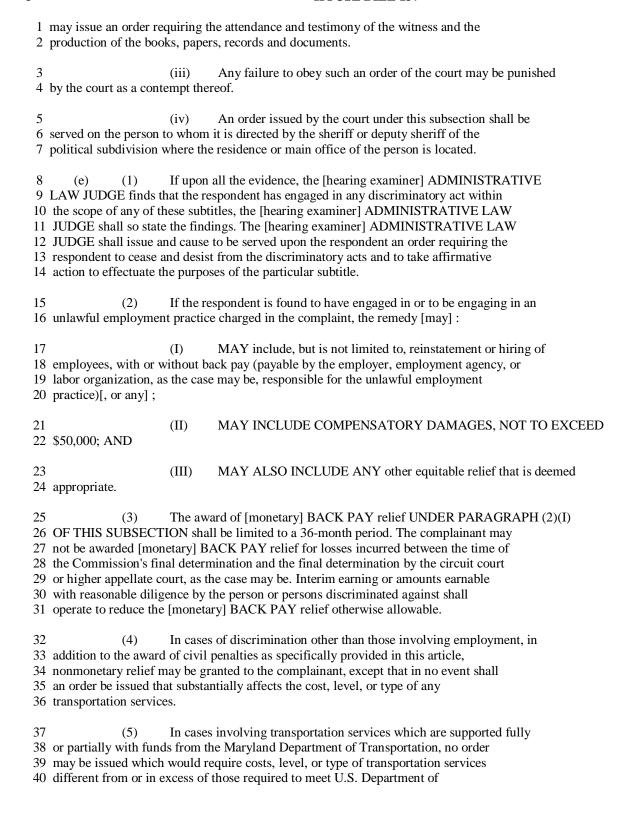
18 Article 49B - Human Relations Commission

19 11.

- 20 (a) In case of failure to reach an agreement for the elimination of the acts of
- 21 discrimination and upon the entry of findings to that effect, the entire file including
- 22 the complaint and any and all findings made shall be certified to THE GENERAL
- 23 COUNSEL. The [Chairman] EXECUTIVE DIRECTOR shall cause a written notice to be
- 24 issued and served in the name of the Commission together with a copy of the
- 25 complaint requiring the respondent to answer the charges of the complaint at a public
- 26 hearing before [a hearing examiner] AN ADMINISTRATIVE LAW JUDGE at a time and
- 27 place certified in the notice.
- The case shall thereupon be heard by [a hearing examiner] AN
- 29 ADMINISTRATIVE LAW JUDGE and the hearing shall be held in the county where the



HOUSE BILL 137



HOUSE BILL 137

- 1 Transportation regulations adopted pursuant to § 504 of the Rehabilitation Act of
- 2 1974, codified as 49 C.F.R. 27 (1984), nor would any such order be enforceable under
- 3 § 12(a) of this subtitle.
- 4 (f) The provisions of subsection (e) granting the authority to award monetary
- 5 relief to a complainant shall apply only to those complaints filed with the Commission
- 6 on or after July 1, 1977.
- 7 (g) If upon all the evidence, the [hearing examiner] ADMINISTRATIVE LAW
- 8 JUDGE or the Commission finds that the respondent has not engaged in any alleged
- 9 discriminatory act within the scope of the particular subtitle, it shall state its findings
- 10 of fact and shall similarly issue and file an order dismissing the complaint.
- 11 15.
- 12 (b) The term "employer" means a person engaged in an industry or business
- 13 who has [fifteen] ONE or more employees for each working day in each of twenty or
- 14 more calendar weeks in the current or preceding calendar year, and any agent of such
- 15 a person; such term does include the State of Maryland to the extent as may be
- 16 provided in this article but such term does not include a bona fide private
- 17 membership club (other than a labor organization) which is exempt from taxation
- 18 under § 501(c) of the Internal Revenue Code.
- 19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 20 October 1, 1998.