
By: **Montgomery County and Prince George's County Delegations**

Introduced and read first time: February 11, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Nondiscrimination Policy**
3 **MC/PG 7-99**

4 FOR the purpose of prohibiting the Washington Suburban Sanitary Commission
5 (WSSC) from discriminating against any person based on certain factors;
6 requiring certain contracts to include certain provisions pertaining to
7 nondiscrimination; authorizing the WSSC to void certain contracts under
8 specified circumstances; and general relating to the WSSC and
9 nondiscrimination policies.

10 BY adding to

11 Article 29 - Washington Suburban Sanitary District
12 Section 1-107 and 3-102(h)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article 29 - Washington Suburban Sanitary District
17 Section 3-102(b)
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 1998 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article 29 - Washington Suburban Sanitary District**

23 1-107.

24 THE WSSC MAY NOT DISCRIMINATE AGAINST ANY PERSON ON THE BASIS OF
25 SEX, RACE, CREED, COLOR, AGE, MENTAL OR PHYSICAL HANDICAP, SEXUAL
26 ORIENTATION, OR NATIONAL ORIGIN.

1 3-102.

2 (b) This section only applies to design/build contracts and construction
3 contracts.

4 (H) (1) THE WSSC MAY NOT AWARD A CONTRACT TO ANY CONTRACTOR
5 UNLESS THE CONTRACT CONTAINS PROVISIONS OBLIGATING THE CONTRACTOR:

6 (I) NOT TO DISCRIMINATE IN ANY MANNER AGAINST AN
7 EMPLOYEE OR AN APPLICANT FOR EMPLOYMENT ON THE BASIS OF SEX, RACE,
8 CREED, COLOR, AGE, MENTAL OR PHYSICAL HANDICAP, SEXUAL ORIENTATION, OR
9 NATIONAL ORIGIN; AND

10 (II) TO INCLUDE A SIMILAR NONDISCRIMINATION CLAUSE IN ALL
11 SUBCONTRACTS.

12 (2) IF THE NONDISCRIMINATION CLAUSE IS OMITTED FROM A
13 CONTRACT OR SUBCONTRACT SUBJECT TO THE PROVISIONS OF THIS SUBSECTION:

14 (I) THE WSSC MAY DECLARE THE CONTRACT TO BE VOID; AND

15 (II) THE CONTRACTOR IS ENTITLED TO THE REASONABLE VALUE
16 OF WORK THAT HAS BEEN PERFORMED AND MATERIALS THAT HAVE BEEN
17 PROVIDED.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1999.