

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

Senate Bill 2 (Senator Forehand)

Judicial Proceedings

Judicial Proceedings

Genetic Information - Nondiscrimination in Employment

This bill provides that it is an unlawful employment practice for an employer to fail or refuse to hire an individual, or otherwise discriminate against an individual, based on genetic information. An employer may not request or require genetic tests or genetic information as a condition for hiring or determining benefits. In addition, an employer may not limit, segregate, or classify its employees or applicants for employment based on the individual's genetic information or the individual's refusal to submit to a genetic test or make genetic test results available.

Fiscal Summary

State Effect: Although the bill may result in additional cases for the Judiciary, the Human Relations Commission, and the Office of Administrative Hearings, any increase in workload is expected to be minimal and can be absorbed within existing resources.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: Employment discrimination based on race, sex, creed, color, religion, national origin, marital status, and physical or mental disability is prohibited. The use of genetic information is not considered an unlawful employment practice. Health insurers may not discriminate against an individual based on genetic information.

Additional Information

Prior Introductions: A substantially similar bill was introduced in the 2000 session as HB 793. It was not reported from the Senate Judicial Proceedings Committee.

Cross File: HB 18 (Delegate Finifter, *et al.*) – Commerce and Government Matters.

Information Source(s): Office of Attorney General, Office of Administrative Hearings, Judiciary (Administrative Office of the Courts), Maryland Commission on Human Relations, Department of Legislative Services

Fiscal Note History: First Reader – February 5, 2001
ef/jr Revised – Senate Third Reader – March 26, 2001

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