
By: **Delegates Rosenberg, Mandel, and Patterson**
Introduced and read first time: February 5, 2003
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **State Violations of Federal Laws - Enforcement by Aggrieved Individuals in**
3 **State Courts**

4 FOR the purpose of authorizing certain individuals to seek and enforce their rights
5 against the State as provided by certain federal laws; authorizing certain
6 individuals who are aggrieved by a violation of certain federal laws by the State
7 to bring a civil action against the State in a certain court for certain legal,
8 equitable, or other relief; providing that the State consents to be sued in a
9 certain court by certain individuals; providing for the application of this Act; and
10 generally relating to the right to sue the State for violations of federal law.

11 BY adding to
12 Article 49B - Human Relations Commission
13 Section 18.1
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2002 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 18.1.

20 (A) THIS SECTION APPLIES TO ANY PERSON SEEKING TO ENFORCE RIGHTS OR
21 OBTAIN REMEDIES AFFORDED BY THE FEDERAL LAWS DESCRIBED IN SUBSECTION
22 (B) OF THIS SECTION.

23 (B) A PERSON WHO IS AGGRIEVED BY A VIOLATION BY THE STATE OF THE
24 FEDERAL AGE DISCRIMINATION IN EMPLOYMENT ACT, THE FEDERAL AMERICANS
25 WITH DISABILITIES ACT OF 1990, THE FEDERAL FAMILY AND MEDICAL LEAVE ACT OF
26 1993, THE FEDERAL FAIR LABOR STANDARDS ACT, OR THE FEDERAL EQUAL PAY ACT
27 OF 1963 MAY BRING A CIVIL ACTION AGAINST THE STATE IN A STATE COURT OF
28 COMPETENT JURISDICTION FOR ANY LEGAL, EQUITABLE, OR OTHER RELIEF
29 AVAILABLE UNDER THE APPLICABLE FEDERAL ACT.

1 (C) THE STATE CONSENTS TO BE SUED IN A STATE COURT OF COMPETENT
2 JURISDICTION BY A PERSON WHO BRINGS A CIVIL ACTION AGAINST THE STATE
3 UNDER SUBSECTION (B) OF THIS SECTION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
5 causes of action arising on or after the effective date of this Act.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 June 1, 2003.