

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE

House Bill 558

(Frederick County Delegation)

Environmental Matters

Judicial Proceedings

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Frederick County - Human Relations Department - Investigation of  
Discriminatory Conduct

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This bill requires the Frederick County Human Relations Department to investigate complaints alleging discrimination as to familial status in housing and employment, and complaints alleging discrimination as to source of income in housing.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** Frederick County expenditures could increase by \$22,700 annually if a part-time investigator is hired to handle the new cases and complaints resulting from the bill or \$49,500 if a full-time investigator is hired. County revenues would not be affected.

**Small Business Effect:** Minimal.

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Analysis

**Bill Summary:** The bill defines “familial status” as the status of one or more individuals under the age of 18 who are domiciled with a parent, a legal guardian, or the designee of a parent or legal guardian with written permission. Familial status includes the status of being pregnant or an individual who is in the process of obtaining legal custody of a minor under the age of 18. “Source of income” is any lawful, verifiable source of money paid directly or indirectly to a renter or buyer of housing including any income received through lawful possession or occupation, the condition of being a recipient of

government assistance or rent supplements, and any gift, inheritance, pension, annuity, alimony, child support, trust of investment accounts, or other consideration, or any sale or pledge of property.

Discrimination as to “source of income” does not include commercially reasonable verification or evaluation of income, or the stability, security, and creditworthiness of income. Nor does the phrase include a refusal to consider income derived from unlawful activity.

**Current Law:** Frederick County Commissioners are authorized to establish a Human Relations Commission and a Human Relations Department. The Human Relations Commission provides a forum for the presentation of problems concerning discrimination in the county. The Human Relations Department investigates complaints alleging discrimination as to race, color, religion, national origin, sex, age, marital status, or physical or mental handicap in housing, public accommodations, and employment. The Human Relations Department makes determinations of discrimination or lack of discrimination.

**Background:** The City of Frederick recently added familial status and source of income as additional bases for complaints to its fair housing local ordinance.

In addition to its investigative duties, the Frederick County Human Relations Department monitors racial and religious incidents in county schools and provides conflict resolution to students. The department is involved in the planning of several community events and programs such as the annual cultural festival and the human rights day program. The department also provides cultural competency training for local governments and private organizations upon request.

**Local Fiscal Effect:** The Frederick County Human Relations Department advises that based on a February 2005 survey of nonprofit service providers in the county, there could be a significant number of individuals with potential complaints of discrimination based on familial status and source of income. Six out of 12 organizations that responded to the survey reported a total of 127 clients that allege prior instances of discrimination on these two bases. The department currently has a staff of two, which process on average six or seven cases and handle over 300 inquiries about possible discrimination from the public on an annual basis, in addition to the activities described above.

Should the number of complaints increase significantly as the survey suggests, Frederick County expenditures could increase accordingly depending on the magnitude of the increase in complaints filed with the department. An additional part-time investigator

would increase annual expenditures by \$22,700 beginning in fiscal 2006. An additional full-time investigator would increase expenditures by \$49,460.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Frederick County, Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2005  
ncs/hlb

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