

Chapter 202

(Senate Bill 455)

AN ACT concerning

Employment Discrimination – Time for Filing Complaints

FOR the purpose of extending the time periods within which a person claiming to be aggrieved by certain discriminatory acts is required to file a complaint with the Commission on Civil Rights; providing that a complaint filed with a local human relations commission within certain time periods is deemed to have complied with certain provisions of this Act; and generally relating to employment discrimination complaints.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1004
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

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

Article – State Government

20–1004.

(a) Any person claiming to be aggrieved by an alleged discriminatory act may file a complaint with the Commission.

(b) The complaint shall:

(1) be in writing;

(2) state:

(i) the name and address of the person or State or local unit alleged to have committed the discriminatory act; and

(ii) the particulars of the alleged discriminatory act;

(3) contain any other information required by the Commission; and

(4) be signed by the complainant under oath.

(c) (1) (i) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, a complaint shall be filed within 6 months after the date on which the alleged discriminatory act occurred.

(ii) A complaint filed with a federal or local human relations commission within 6 months after the date on which the alleged discriminatory act occurred shall be deemed to have complied with subparagraph (i) of this paragraph.

(2) (I) A COMPLAINT ALLEGING AN UNLAWFUL EMPLOYMENT PRACTICE OTHER THAN HARASSMENT SHALL BE FILED WITHIN 300 DAYS AFTER THE DATE ON WHICH THE ALLEGED DISCRIMINATORY ACT OCCURRED.

(II) A COMPLAINT FILED WITH A FEDERAL HUMAN RELATIONS COMMISSION WITHIN 6 MONTHS OR A LOCAL HUMAN RELATIONS COMMISSION WITHIN 300 DAYS SHALL BE DEEMED TO HAVE COMPLIED WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(3) (i) A complaint alleging harassment against an employer shall be filed within 2 years after the date on which the alleged harassment occurred.

(ii) A complaint filed with a federal human relations commission within 6 months or a local human relations commission within 2 years after the date on which the alleged harassment occurred shall be deemed to have complied with subparagraph (i) of this paragraph.

(d) The Commission, on its own motion, and by action of at least three commissioners, may issue a complaint in its name in the same manner as if the complaint had been filed by an individual, if:

(1) the Commission has received reliable information from an individual that a person has been or is engaged in a discriminatory act; and

(2) after a preliminary investigation by the Commission's staff authorized by the chair or vice-chair, the Commission is satisfied that the information warrants the filing of a complaint.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Approved by the Governor, May 18, 2021.