

**Department of Legislative Services**  
 Maryland General Assembly  
 2021 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

House Bill 130 (Delegate Qi)  
 Health and Government Operations Education, Health, and Environmental Affairs

**Commission on LGBTQ Affairs – Established**

This bill establishes the Commission on LGBTQ Affairs in the Governor’s Office of Community Initiatives (GOCI).

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$54,200 in FY 2022. Future years reflect annualization. No anticipated material effect on revenues.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	54,200	89,400	91,900	95,100	98,300
Net Effect	(\$54,200)	(\$89,400)	(\$91,900)	(\$95,100)	(\$98,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** The bill does not directly affect local government finances or operations.

**Small Business Effect:** None.

**Analysis**

**Bill Summary:** The commission must (1) assess the challenges facing lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities; (2) collect data across State agencies on the implementation of LGBTQ-inclusive policies and complaints alleging discrimination based on sexual orientation or gender identity; (3) study and establish best practices for inclusion of LGBTQ individuals and communities; (4) inform the executive and legislative branches of State government of issues concerning women and LGBTQ persons; (5) offer testimony on issues concerning women and LGBTQ persons before

legislative and administrative bodies; (6) act as a clearinghouse for activities to avoid duplication of efforts; (7) create surveys and appoint advisory committees in several specified fields; and (8) publish an annual report, and any other material the commission considers necessary, that includes recommendations on policies for LGBTQ adults and youth that work to end discriminatory practices in the State.

The commission consists of 15 members appointed by the Governor with the advice and consent of the Senate. The members must (1) to the extent practicable, be members of the LGBTQ community; (2) include at least two transgender individuals; (3) to the extent practicable, reflect the gender, racial, ethnic, and geographic diversity of the State; (4) know about issues facing LGBTQ communities and be sensitive to the problems of these communities; (5) be representatives of the State's LGBTQ communities or have an interest in the success of these communities; and (6) provide value to the work of the commission. Members serve four-year terms, as specified.

The commission must annually elect a chair and vice chair from among its members. Members of the commission may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

With the approval of the Governor, the commission must appoint a director, who may not be a member of the commission. The director serves at the pleasure of the commission, subject to the concurrence of the Governor, and is a special appointment in the State Personnel Management System. Subject to the rules and policies adopted by the commission and the administrative supervision of the Governor, the director must (1) administer the activities of the commission and (2) supervise the appointment and removal of commission personnel.

The commission may seek money from the federal government, foundations, and private sources in addition to State financing. The commission may accept gifts, grants, donations, bequests, or endowments for any of its purposes. Any funding received from these sources is subject to audit by the State, including the Legislative Auditor.

**Current Law:** Discrimination based on sexual orientation or gender identity is prohibited under specified State laws, including those regarding employment, housing, and places of public accommodation.

**State Expenditures:** General fund expenditures increase by \$54,243 in fiscal 2022. This estimate assumes a January 1, 2022 start date for the director appointed by the commission. It includes a salary, fringe benefits, one-time start-up costs, and ongoing travel and operating expenses.

Position	1
Salary and Fringe Benefits	\$44,025
Travel and Operating Expenses	<u>10,218</u>
<b>Total FY 2022 State Expenditures</b>	<b>\$54,243</b>

Future year expenditures reflect a full salary with an annual increase and employee turnover and ongoing operating expenses, including travel costs for an estimated six meetings per year. Otherwise, it is generally assumed that GOCI can use existing resources to handle any additional administrative work anticipated under the bill. However, additional staff *may* be required in future years, depending on the extent of the commission’s activities.

Any additional expense reimbursements for commission members are assumed to be minimal and absorbable within existing budgeted resources. It is also assumed that State agencies can use existing resources to provide any available data to the commission.

### **Additional Information**

**Prior Introductions:** HB 706 of 2020, a similar bill, passed the House and was referred to the Senate Judicial Proceedings Committee, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Governor’s Office; Department of Legislative Services – Office of Legislative Audits; Department of Legislative Services

**Fiscal Note History:** First Reader - January 11, 2021  
rh/jkb Third Reader - February 17, 2021  
Enrolled - April 26, 2021  
Revised - Amendment(s) - April 26, 2021

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