

Chapter 555

(Senate Bill 133)

AN ACT concerning

**State Employee Rights and Protections – Personnel Actions and Harassment –
Investigation of Complaints**

FOR the purpose of increasing the time period during which an investigation must be conducted and a written decision must be issued regarding a certain complaint filed by a certain applicant or employee alleging discrimination or harassment by an employer; authorizing certain applicants and employees to provide written authorization to increase by an additional number of days the time period during which an investigation of a complaint and a written decision must be completed; ~~specifying when an appointing authority is deemed to have acquired certain knowledge relating to a time limit for certain disciplinary action;~~ and generally relating to State employee rights and protections.

BY repealing and reenacting, without amendments,
 Article – State Personnel and Pensions
 Section 5–211
 Annotated Code of Maryland
 (2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 5–212
 Annotated Code of Maryland
 (2015 Replacement Volume and 2023 Supplement)

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

Article – State Personnel and Pensions

5–211.

(a) An applicant or employee subject to this subtitle may file with the head of the principal unit a written complaint:

(1) that alleges a violation of § 5–208 of this subtitle; or

(2) that alleges harassment in violation of § 20–606(a)(5) of the State Government Article.

(b) A complaint under subsection (a)(1) of this section must be filed within 1 year after the complainant first knew of or reasonably should have known of the alleged violation that is the basis for the complaint.

(c) A complaint under subsection (a)(2) of this section must be filed within 2 years after the alleged violation that is the basis for the complaint.

5-212.

(A) [Within 30] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, WITHIN 60 days after a complaint under § 5-211 of this subtitle is received:

(1) an equal employment officer, under the direction of the fair practices officer, shall investigate the complaint and recommend a proposed decision to the head of the principal unit; and

(2) the head of the principal unit shall issue a written decision to the complainant and may grant any appropriate relief.

(B) THE TIME PERIOD UNDER SUBSECTION (A) OF THIS SECTION MAY BE EXTENDED UP TO AN ADDITIONAL 30 DAYS IF THE APPLICANT OR EMPLOYEE WHO FILED THE COMPLAINT PROVIDES WRITTEN AUTHORIZATION TO THE EQUAL EMPLOYMENT OFFICER INVESTIGATING THE COMPLAINT.

~~**(C) FOR PURPOSES OF THIS SECTION, AN APPOINTING AUTHORITY SHALL BE DEEMED TO HAVE ACQUIRED KNOWLEDGE TO BEGIN THE TIME LIMIT FOR THE IMPOSITION OF DISCIPLINARY ACTION UNDER § 11-106(B) OF THIS ARTICLE ONLY ON RECEIPT BY THE HEAD OF THE PRINCIPAL UNIT OF THE PROPOSED DECISION AS PROVIDED IN SUBSECTION (A) OF THIS SECTION.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, May 9, 2024.