

HOUSE BILL 1055

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EMERGENCY BILL

5lr2073

By: **Delegates Fair, Acevero, Allen, Charkoudian, Ebersole, Embry, Foley, Kaiser, Kaufman, Palakovich Carr, Pasteur, Simpson, Spiegel, Woods, and Young**
Introduced and read first time: February 5, 2025
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on Nondiscrimination – Establishment**

3 FOR the purpose of establishing the Commission on Nondiscrimination to monitor and
4 study nondiscrimination laws and regulations and the impacts of the actions of the
5 federal government on those laws and regulations and to recommend legislation to
6 address any deficiencies in nondiscrimination protections in Maryland; and
7 generally relating to the Commission on Nondiscrimination.

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 That:

- 10 (a) In this section, “Commission” means the Commission on Nondiscrimination.
- 11 (b) There is a Commission on Nondiscrimination.
- 12 (c) The Commission consists of the following members:
- 13 (1) two members of the Senate of Maryland, appointed by the President of
14 the Senate;
- 15 (2) two members of the House of Delegates, appointed by the Speaker of
16 the House;
- 17 (3) one representative of the Executive Branch, appointed by the Governor;
- 18 (4) one representative of the Judicial Branch, appointed by the Chief
19 Justice of the Supreme Court of Maryland;
- 20 (5) the Executive Director of the Maryland Commission on Civil Rights, or
21 the Executive Director’s designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (6) two representatives of the Office of the Attorney General, at least one
2 of whom must work in the Civil Rights Division, appointed by the Attorney General; and

3 (7) the following members, appointed jointly by the President of the Senate
4 and the Speaker of the House:

5 (i) three representatives of local human rights commissions, one
6 each from the Eastern, Central, and Western regions of the State;

7 (ii) two representatives of the Maryland State Bar Association, one
8 of whom represents plaintiffs and one of whom represents defendants in discrimination
9 cases; and

10 (iii) three representatives of legal advocacy groups in the State that
11 focus on civil rights and discrimination.

12 (d) The President of the Senate and the Speaker of the House shall designate a
13 member who is a Senator and a member who is a Delegate, respectively, to serve as cochairs
14 of the Commission.

15 (e) The Maryland Commission on Civil Rights and the Civil Rights Division of the
16 Office of the Attorney General shall provide staff for the Commission.

17 (f) A member of the Commission:

18 (1) may not receive compensation as a member of the Commission; but

19 (2) is entitled to reimbursement for expenses under the Standard State
20 Travel Regulations, as provided in the State budget.

21 (g) The Commission shall:

22 (1) study how the State can:

23 (i) realize the principle of equality under the law;

24 (ii) afford greater protections against unequal or unfair treatment
25 under State and local law;

26 (iii) eliminate discrimination against individuals on the basis of the
27 individual's race, color, religion, ancestry or national origin, sex, age, marital status, sexual
28 orientation, gender identity, military status, disability, or other protected class in law that
29 is not specifically enumerated in this item; and

30 (iv) ensure that individuals listed in item (iii) of this item have
31 effective remedies for discrimination under the law;

1 (2) monitor and study the impacts of the potential and actual actions of the
2 federal government on civil rights and nondiscrimination enforcement at the federal, State,
3 and local levels;

4 (3) identify gaps, inconsistencies, or deficiencies in the current State and
5 local frameworks for civil rights and nondiscrimination enforcement, including:

6 (i) nondiscrimination laws or regulations without specific
7 enforcement mechanisms in the State;

8 (ii) overburdened courts and administrative agencies;

9 (iii) funding issues;

10 (iv) inconsistent protections for groups between different
11 nondiscrimination provisions;

12 (v) groups facing discrimination that lack protections or have gaps
13 in protections under the law;

14 (vi) subjects or situations where individuals do not currently have
15 discrimination protections under the law; and

16 (vii) nondiscrimination laws or regulations that do not have an
17 associated private right of action; and

18 (4) recommend legislation to address any adverse impacts and potential
19 gaps, inconsistencies, or deficiencies in civil rights and nondiscrimination laws or
20 regulations.

21 (h) The Commission may:

22 (1) hold public meetings across the State to carry out the duties of the
23 Commission; and

24 (2) convene workgroups to solicit input from stakeholders.

25 (i) On or before December 15 each year, the Commission shall submit a report on
26 its findings and recommendations, including any legislative proposals, to the Governor and,
27 in accordance with § 2–1257 of the State Government Article, the General Assembly.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
29 measure, is necessary for the immediate preservation of the public health or safety, has
30 been passed by a yea and nay vote supported by three-fifths of all the members elected to
31 each of the two Houses of the General Assembly, and shall take effect from the date it is
32 enacted. It shall remain effective through June 30, 2029, and, at the end of June 30, 2029,

1 this Act, with no further action required by the General Assembly, shall be abrogated and
2 of no further force and effect.