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THE MARYLAND HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 0579 Maryland Commission on Civil Rights –Civil Penalties

Good afternoon, Chairman Pendergrass, Vice Chairman Peña-Melnyk and honorable members of the committee. Thank you for this opportunity to present HB 579, **Maryland Commission on Civil Rights –Civil Penalties**. This bill would allow for someone who has followed through the complaint process of the Maryland Commission on Civil Rights (MCCR) to receive financial compensation when they have experienced discrimination in a public accommodation, including restaurants, retailers, entertainment centers, etc.

This committee has seen the concept of this bill several times. Each time it has been amended to address the concerns of businesses. This version of the bill is the one that this committee passed last year which passed the House 97—39. While businesses may not be at the table supporting this bill, they believe that discrimination is unacceptable. By allowing consumers to be compensated if there is a finding of discrimination after an investigation, we are providing a more useful tool for monitoring compliance of current statute.

The need for this bill has not decreased in recent years. Nothing has changed in our culture since last year. We are living in difficult times with respect to discrimination. We have seen both nationally and on a state level increases in hate crimes and incidents. Given this continued climate, as a state we need to take a firm stance against any kind of discrimination and work to effect positive change so all the people in Maryland will have fair and equitable experiences whenever they go to a store, a restaurant, a movie or any other business.

This proposed language maintains the current process; when a victim of discrimination chooses to go through the MCCR complaint process, the Commission completes a full investigation first. If they find cause, they will look to see if the respondent has made good faith attempts to mitigate the issue and then try to mediate it to resolution. If they find fault, no mitigating circumstances and no efforts to resolve, the Commission will send it to an ALJ with a recommendation. The ALJ considers all the facts in the complaint, the findings of the MCCR and its recommendations. The ALJ may levy a fine that is capped dependent on the number of reoccurrences for a particular business. What is different is that this bill simply allows the victim of discrimination in a place of public accommodation to receive a remedy for their negative experience based on the finding of an ALJ.

The MCCR is a great resource to our state in addressing the very sensitive issues of discrimination, but we have tied their hands as far as remedies for proven bad acts. Please provide them with the tools that they need to enforce our commitment to an inclusive and diverse society in which everyone is valued.

Thank you for your consideration and I respectfully request a favorable report.