

State of Maryland Commission on Civil Rights

"Our vision is to have a State that is free from any trace of unlawful discrimination."



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February 22, 2022

House Bill 928 – Discrimination in Housing – Citizenship, Immigration Status, and National Origin **POSITION: Support with Amendments**

Dear Chairperson Barve, Vice Chairperson Stein, and Members of the House Environment and Transportation Committee:

The Maryland Commission on Civil Rights ("MCCR"; "The Commission") is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, health services and state contracts based upon race, color, religion, sex, age, **national origin**, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

House Bill 928 proposes amending Title 20 of the State Government Article to provide fair housing to residents, regardless of citizenship or immigration status. The federal Fair Housing Act and Title 20 prohibits discrimination in housing based on national origin. HB 928 would prohibit discrimination related to the sale or rental of a dwelling based on citizenship or immigration status and, under some circumstances, prohibit inquiries and disclosures relating to a person's citizenship, immigration status, or national origin. Additionally, HB 928 prohibits threatening to disclose information regarding any person's citizenship, immigration status, or national origin to an immigration authority or law enforcement agency. Lastly, unless required by state or federal law, a person may not inquire about a person's citizenship, immigration status, or national origin outside of required standard rental practices.

In 2019, the fifth most frequent complaint submitted to state and federal agencies was discrimination based on national origin, with a total of 1,733 complaints made. HUD has stated that inquiries alleging citizenship or immigration status would be analyzed for potential national origin discrimination. However, many of these inquiries fall into the crack not quite reaching national origin discrimination as defined by the courts. Thus, stronger protections are needed. MCCR supports House Bill 928 but recommends for purposes of clarity, that the three-basis identified in the bill be defined to ensure efficiency. Presently, national origin itself is not defined in Title 20. Case law has shown that citizenship discrimination and immigration status discrimination are not viewed as the same as national origin discrimination. It is important to provide protections to vulnerable Marylanders that are discriminated against not just based on national origin, but also citizenship and immigration status.

MCCR's Biennial Civil Rights & Fair Housing Gala Celebration: April 30, 2022

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For these reasons, the Maryland Commission on Civil Rights urges a favorable vote with its recommendations on HB 928. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.