



LEGISLATIVE POSITION:

Unfavorable

Senate Bill 540

Human Relations – Civil Rights Enforcement – Powers of the Attorney General

Senate Judicial Proceedings Committee

Tuesday, February 28, 2023

Dear Chairman Smith and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,400 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

As introduced, SB 540 makes several changes relating to the Attorney General's authority on civil rights enforcement and pattern-and-practice civil rights violations. SB 540 applies to private sector circumstances while another separate bill, SB 658, is the identical bill applying to the public sector.

The Maryland Chamber's primary concern stems from SB 540, Section 20-1045 which re-writes Maryland law on the standards for seeking injunctive relief. Section 20-1046 (C) (1) authorizes the reimbursement of the Attorney General or the Commission on Civil Rights (the Commission) for the costs of the "...investigation and litigation..." This similar provision does not appear in SB 658, the legislation dealing with the public sector.

While the Maryland Chamber has concern over the change in SB 540 allowing for the reimbursement of investigation and litigation costs as it is highly unusual, we are also unsure why the public and private sectors are being treated differently as it relates to civil rights investigations. We would strongly urge the committee to amend SB 540, Section 20-1046(C)(1) to mirror the same provision in SB 658.

For these reasons, the Maryland Chamber of Commerce respectfully requests a **unfavorable report** on **SB 540**, as introduced.