

HB 772 – Human Relations–Civil Rights Enforcement–Powers of the Attorney General

Position: Favorable

By: Nancy Soreng, President

Date: March 1, 2023

The League of Women Voters is a nonpartisan organization that believes the civil rights of all people should be protected regardless of race, color, gender, religion, national origin, age, sexual orientation, or disability.

Residents of Maryland are subject to unlawful discrimination for which they often have no recourse. For example, a vendor may systematically discriminate against people because of their race. When this happens, an individual probably would not have the resources, time or ability to investigate the vendor and to commence a lawsuit. Even if an individual has such resources and their lawsuit succeeds, this would not stop the vendor from discriminating against others.

The Attorney General is elected by Maryland residents and works on their behalf. HB 772 would authorize the Attorney General to commence a civil action against a person who engages in unlawful discrimination if “after a preliminary investigation” they find “reasonable cause to believe that any person committed a civil rights violation.” SB 540 empowers the Attorney General to seek an injunction, to prevent the person from engaging in the unlawful behavior, as well as a civil penalty.

HB 772 establishes a “special nonlapsing fund” that consists of money obtained through civil rights lawsuits and money appropriated to the fund in the state budget. The Attorney General may use the fund for enforcement actions and for “education and outreach in the community relating to civil rights violations.”

The Attorney General is distinctively able to carry out HB 772. The Office of the Attorney General’s staff and attorneys have broad experience investigating complex cases of wrongdoing and handling lawsuits that result from such investigations. The special fund would provide the Attorney General resources to combat unlawful discrimination and to protect Marylanders.

The League urges a favorable report for HB 772.