

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2023, Legislative Day No. 17

Bill No. 70-23

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, September 18, 2023

A BILL
ENTITLED

AN ACT concerning

Human Relations Prohibited Practices and Human Relations Commission Procedures

FOR the purpose of clarifying the scope of the prohibition against discrimination in public accommodations; describing circumstances under which the Executive Director of the Human Relations Commission may refer a complaint to the Maryland Commission on Civil Rights or the United States Equal Employment Opportunity Commission; permitting the County Attorney to request a judicially imposed civil penalty to enforce compliance with a Human Relations Commission order; and generally related to procedures and prohibited practices under the Human Relations article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments

Section 29-2-302
Article 29 – Human Relations
Title 2 – Prohibited Practices
Subtitle 3 – Discrimination in Public Accommodations
Baltimore County Code, 2015

BY repealing and re-enacting, with amendments

Section 29-3-105
Article 29 – Human Relations
Title 3 – Human Relations Commission Procedure
Baltimore County Code, 2015

BY adding

Section 29-3-111(c)
Article 29 – Human Relations
Title 3 – Human Relations Commission Procedure
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3

4 ARTICLE 29 – HUMAN RELATIONS

5 Title 2 – Prohibited Practices

6 Subtitle 3 – Discrimination in Public

7

8 § 29-2-302. Prohibition.

9 (A) An owner, operator, or agent of an owner or operator of a public accommodation
10 may not engage in discrimination in denying a person THE FULL ENJOYMENT OF any of the
11 accommodations, advantages, facilities, or privileges of a public accommodation.

12 (B) AN OWNER, OPERATOR, OR AGENT OF AN OWNER OR OPERATOR OF A

1 PUBLIC ACCOMMODATION MAY NOT TREAT A CUSTOMER OR BUSINESS INVITEE
2 IN A MARKEDLY HOSTILE MANNER OR IN A MANNER THAT A REASONABLE
3 PERSON WOULD FIND OBJECTIVELY DISCRIMINATORY.

4
5 Title 3 – Human Relations Commission Procedure

6
7 § 29-3-105. Consideration of the Complaint.

8 [(1)] (A) The Executive Director shall consider all complaints filed under this article,
9 EXCEPT THAT FOR COMPLAINTS ALLEGING HOUSING, EDUCATION, FINANCIAL,
10 OR PUBLIC ACCOMMODATIONS DISCRIMINATION, OR EMPLOYMENT
11 DISCRIMINATION AGAINST AN EMPLOYER WITH 15 OR MORE EMPLOYEES, THE
12 EXECUTIVE DIRECTOR MAY, ~~AT~~ IN THE EXERCISE OF THEIR DISCRETION, REFER
13 THE COMPLAINT TO THE MARYLAND COMMISSION ON CIVIL RIGHTS OR THE
14 UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

15 [(2)] (B) Not more than 30 days after the complaint is filed, the Executive Director shall
16 determine preliminarily if the facts alleged are sufficient to establish that a violation of this
17 article may have occurred.

18 [(3)] (C) The Executive Director may contact the respondent in this determination.

19
20 § 29-3-111. Miscellaneous Authorized Actions.

21 (C) AS PART OF AN ACTION TO ENFORCE COMPLIANCE WITH A DECISION
22 AND ORDER OF THE COMMISSION, THE COUNTY ATTORNEY MAY SEEK TO HAVE
23 A COURT IMPOSE A CIVIL PENALTY WITHIN THE LIMITS SPECIFIED IN §10-202 OF

1 THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND,
2 WHICH INCLUDES A CIVIL PENALTY OF UP TO \$5,000 FOR EMPLOYMENT
3 DISCRIMINATION OR PUBLIC ACCOMMODATIONS DISCRIMINATION.

4

5 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
6 after its enactment.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
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