

# HOUSE BILL 728

D5

01r2058

---

By: **Delegates Hill, Ebersole, and Qi**

Introduced and read first time: January 30, 2020

Assigned to: Health and Government Operations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Employment Discrimination and Discriminatory Housing Practices – Time for**  
3 **Filing Complaints**

4 FOR the purpose of extending the time periods within which a person claiming to be  
5 aggrieved by certain discriminatory acts is required to file a complaint with the  
6 Commission on Civil Rights; providing that a complaint filed with a local human  
7 relations commission within certain time periods is deemed to have complied with  
8 certain provisions of this Act; and generally relating to employment and housing  
9 discrimination complaints.

10 BY repealing and reenacting, with amendments,  
11 Article – State Government  
12 Section 20–1004 and 20–1021(a)  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2019 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – State Government  
17 Section 20–1020(a), (b), and (e)  
18 Annotated Code of Maryland  
19 (2014 Replacement Volume and 2019 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
21 That the Laws of Maryland read as follows:

22 **Article – State Government**

23 20–1004.

24 (a) Any person claiming to be aggrieved by an alleged discriminatory act may file  
25 a complaint with the Commission.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The complaint shall:

2 (1) be in writing;

3 (2) state:

4 (i) the name and address of the person or State or local unit alleged  
5 to have committed the discriminatory act; and

6 (ii) the particulars of the alleged discriminatory act;

7 (3) contain any other information required by the Commission; and

8 (4) be signed by the complainant under oath.

9 (c) (1) (i) Except as provided in [paragraph] **PARAGRAPHS (2) AND (3)** of  
10 this subsection, a complaint shall be filed within 6 months after the date on which the  
11 alleged discriminatory act occurred.

12 (ii) A complaint filed with a federal or local human relations  
13 commission within 6 months after the date on which the alleged discriminatory act occurred  
14 shall be deemed to have complied with subparagraph (i) of this paragraph.

15 (2) **(I) A COMPLAINT ALLEGING AN UNLAWFUL EMPLOYMENT**  
16 **PRACTICE OTHER THAN HARASSMENT SHALL BE FILED WITHIN 300 DAYS AFTER THE**  
17 **DATE ON WHICH THE ALLEGED DISCRIMINATORY ACT OCCURRED.**

18 **(II) A COMPLAINT FILED WITH A FEDERAL HUMAN RELATIONS**  
19 **COMMISSION WITHIN 6 MONTHS OR A LOCAL HUMAN RELATIONS COMMISSION**  
20 **WITHIN 300 DAYS SHALL BE DEEMED TO HAVE COMPLIED WITH SUBPARAGRAPH (I)**  
21 **OF THIS PARAGRAPH.**

22 **(3) (i)** A complaint alleging harassment against an employer shall be  
23 filed within 2 years after the date on which the alleged harassment occurred.

24 (ii) A complaint filed with a federal human relations commission  
25 within 6 months or a local human relations commission within 2 years after the date on  
26 which the alleged harassment occurred shall be deemed to have complied with  
27 subparagraph (i) of this paragraph.

28 (d) The Commission, on its own motion, and by action of at least three  
29 commissioners, may issue a complaint in its name in the same manner as if the complaint  
30 had been filed by an individual, if:

31 (1) the Commission has received reliable information from an individual

1 that a person has been or is engaged in a discriminatory act; and

2 (2) after a preliminary investigation by the Commission's staff authorized  
3 by the chair or vice-chair, the Commission is satisfied that the information warrants the  
4 filing of a complaint.

5 20-1020.

6 (a) In this part the following words have the meanings indicated.

7 (b) "Aggrieved person" means any person that claims to have been injured by a  
8 discriminatory housing practice.

9 (e) "Discriminatory housing practice" means an act that is prohibited under §  
10 20-705, § 20-706, § 20-707, or § 20-708 of this title.

11 20-1021.

12 (a) (1) An aggrieved person may file a complaint with the Commission alleging  
13 a discriminatory housing practice.

14 (2) The complaint shall be filed within [1 year] **18 MONTHS** after the  
15 alleged discriminatory housing practice occurred or terminated.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2020.