

# HOUSE BILL 763

E1, P1

(4lr2761)

## ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by Delegates Attar, Cardin, Vogel, and Rosenberg Rosenberg, Simmons, Tomlinson, Arikan, Conaway, and Kaufman

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Commission on Hate Crime Response and Prevention – ~~Membership~~**  
3 **~~Alterations~~ Membership and Sunset**

4 FOR the purpose of ~~removing the representative of the Council on American Islamic~~  
5 ~~Relations Maryland Office from~~ altering the membership of the Commission on Hate  
6 Crime Response and Prevention; adding two members of the Muslim community to  
7 be appointed by the Attorney General to the Commission; terminating the  
8 Commission after a certain date; and generally relating to the membership of the  
9 Commission on Hate Crime Response and Prevention.

10 BY repealing and reenacting, with amendments,  
11 Article – State Government  
12 Section 6–802  
13 Annotated Code of Maryland

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



(2021 Replacement Volume and 2023 Supplement)

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

**Article – State Government**

6–802.

(a) There is a Commission on Hate Crime Response and Prevention in the Office of the Attorney General.

(b) The Commission consists of the following members, appointed by the Attorney General:

(1) ~~one representative of the Anti-Defamation League~~ **15 INDIVIDUALS WHO REPRESENT OR ADVOCATE ON BEHALF OF INDIVIDUALS WHO ARE MEMBERS OF A PROTECTED CLASS UNDER THE STATE HATE CRIME LAWS AS SET FORTH IN TITLE 10, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE APPOINTED BY THE ATTORNEY GENERAL WITH THE ADVICE AND CONSENT OF THE SENATE;**

(2) ~~one representative of the Asian American and Pacific Islander community;~~

~~(3) one representative of the Women’s Law Center;~~

~~(4) one representative of the Baltimore Jewish Council;~~

~~(5) one representative of the Coalition Opposed to Violence and Extremism;~~

~~(6) [one representative of the Council on American-Islamic Relations Maryland Office] **TWO REPRESENTATIVES OF THE MUSLIM COMMUNITY;**~~

~~(7) one representative of Free State Justice;~~

~~(8) one representative of the Jewish Community Relations Council;~~

~~(9) one representative of the Immigration Outreach Service Center;~~

~~(10)~~ one representative of the Maryland Association of Human Relations/Human Rights Agencies;

~~(11)~~ **(3)** one representative of the Maryland Chiefs of Police Association;

~~(12)~~ **(4)** one representative of the Maryland Commission on Civil Rights;

1           ~~(13)~~ **(5)**       one representative of the Maryland Coordination and Analysis  
2 Center;

3           ~~(14)~~ **(6)**       one representative of the Maryland Center for School Safety;

4           ~~(15)~~ **(7)**       one representative of the Maryland Sheriffs' Association;

5           ~~(16)~~ **(8)**       one representative of the Maryland State's Attorneys'  
6 Association;

7           ~~(17)~~ ~~one representative of the National Alliance on Mental Illness;~~

8           ~~(18)~~ ~~one representative of the National Association for the Advancement of~~  
9 ~~Colored People;~~

10          ~~(19)~~ ~~one representative of the Pride Center of Maryland;~~

11          ~~(20)~~ ~~one representative of the Sikh Coalition; and~~

12                   **(9) ONE REPRESENTATIVE OF THE OFFICE OF THE PUBLIC**  
13 **DEFENDER; AND**

14          ~~(21)~~ **(10)**     two members of the general public.

15           (c)   (1)   The term of an appointed member of the Commission is 4 years.

16                   (2)   ~~(f) The~~ ~~**EXCEPT AS PROVIDED IN SUBPARAGRAPH (H) OF THIS**~~  
17 ~~**PARAGRAPH, THE**~~ **THE** terms of the appointed members are staggered as required by the  
18 terms provided for members of the Commission on June 1, ~~2023~~ **2024**.

19                           ~~**(H) THE TERMS OF THE MEMBERS APPOINTED UNDER**~~  
20 ~~**SUBSECTION (B)(1) AND (9) OF THIS SECTION ARE STAGGERED AS REQUIRED BY THE**~~  
21 ~~**TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2024.**~~

22                   (3)   At the end of a term, an appointed member continues to serve until a  
23 successor is appointed and qualifies.

24                   (4)   A member who is appointed after a term has begun serves only for the  
25 rest of the term and until a successor is appointed and qualifies.

26           (d)   (1)   The Attorney General, or the Attorney General's designee, is the chair  
27 of the Commission.

28                   (2)   The Office of the Attorney General shall provide staff for the  
29 Commission.

1 (e) In fiscal year 2025 and in each fiscal year thereafter, the Governor shall  
2 include funds in the State budget to implement this section, including funds to:

3 (1) employ a full-time assistant Attorney General to staff the Commission;  
4 and

5 (2) operate and maintain the office.

6 (f) (1) A majority of members of the Commission shall constitute a quorum for  
7 the transaction of business.

8 (2) The Commission may adopt rules governing the administration and  
9 proceedings of the Commission.

10 (g) A member of the Commission:

11 (1) may not receive compensation as a member of the Commission; but

12 (2) is entitled to reimbursement for expenses under the Standard State  
13 Travel Regulations, as provided in the State budget.

14 (h) The Commission shall:

15 (1) develop strategies to prevent and respond to hate crime activity; and

16 (2) evaluate State laws and policies relating to hate crimes.

17 (i) (1) On or before December 1 each year, beginning in 2024, the Commission  
18 shall report to the State Department of Education on policy recommendations to address  
19 hate crimes that occur in schools.

20 (2) On or before December 1 each year, beginning in 2024, the Commission  
21 shall report to the General Assembly, in accordance with § 2-1257 of the State Government  
22 Article, on legislative recommendations to address hate crimes in the State.

23 ~~(j) THIS SECTION, AND ALL REGULATIONS AND POLICIES ADOPTED UNDER~~  
24 ~~THIS SECTION, SHALL TERMINATE AND BE OF NO EFFECT AFTER JUNE 30, 2027.~~

25 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial  
26 members appointed to the Commission on Hate Crime Response and Prevention under §  
27 ~~6-802(b)(6)~~ ~~6-802(b)(1)~~ and ~~(9)~~ ~~6-802(b)~~ of the State Government Article, as enacted by  
28 Section 1 of this Act, shall expire as follows:

29 ~~(1) one member in 2025; and~~

30 ~~(2) one member in 2028.~~

- 1           (1) ~~five~~ six members in 2025;
- 2           (2) ~~five~~ six members in 2026; ~~and~~
- 3           (3) six members in 2027; *and*
- 4           (4) seven members in 2028.

5           SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the members  
 6 servng on the Commission on Hate Crimes Response and Prevention appointed under §  
 7 6-802(b) of the State Government Article as it existed on May 30, 2024, shall expire on June  
 8 1, 2024.

9           SECTION ~~3.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 10 ~~October~~ June 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.