

HOUSE BILL 763

E1, P1

4lr2761

By: Delegates Attar, Cardin, Vogel, and Rosenberg Rosenberg, Simmons,
Tomlinson, Arian, Conaway, and Kaufman

Introduced and read first time: January 31, 2024

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2024

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
14 (2021 Replacement Volume and 2023 Supplement)

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

17 **Article – State Government**

18 6–802.

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.



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

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

5 (1) ~~one representative of the Anti-Defamation League~~ **15 INDIVIDUALS**
6 **WHO REPRESENT OR ADVOCATE ON BEHALF OF INDIVIDUALS WHO ARE MEMBERS OF**
7 **A PROTECTED CLASS UNDER THE STATE HATE CRIME LAWS AS SET FORTH IN TITLE**
8 **10, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE;**

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

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

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

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

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

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

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

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

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

21 ~~(11)~~ **(3)** one representative of the Maryland Chiefs of Police Association;

22 ~~(12)~~ **(4)** one representative of the Maryland Commission on Civil Rights;

23 ~~(13)~~ **(5)** one representative of the Maryland Coordination and Analysis
24 Center;

25 ~~(14)~~ **(6)** one representative of the Maryland Center for School Safety;

26 ~~(15)~~ **(7)** one representative of the Maryland Sheriffs' Association;

27 ~~(16)~~ **(8)** one representative of the Maryland State's Attorneys'
28 Association;

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

2 ~~(18) one representative of the National Association for the Advancement of~~
3 ~~Colored People;~~

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

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

6 **(9) ONE REPRESENTATIVE OF THE OFFICE OF THE PUBLIC**
7 **DEFENDER; AND**

8 ~~(21)~~ **(10)** two members of the general public.

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

10 (2) **(I) The EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
11 **PARAGRAPH, THE** terms of the appointed members are staggered as required by the terms
12 provided for members of the Commission on June 1, 2023.

13 **(II) THE TERMS OF THE MEMBERS APPOINTED UNDER**
14 **SUBSECTION (B)(1) AND (9) OF THIS SECTION ARE STAGGERED AS REQUIRED BY THE**
15 **TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2024.**

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

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

20 (d) (1) The Attorney General, or the Attorney General’s designee, is the chair
21 of the Commission.

22 (2) The Office of the Attorney General shall provide staff for the
23 Commission.

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

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

28 (2) operate and maintain the office.

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

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

3 (g) A member of the Commission:

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

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

7 (h) The Commission shall:

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

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

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

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

16 **(J) THIS SECTION, AND ALL REGULATIONS AND POLICIES ADOPTED UNDER**
17 **THIS SECTION, SHALL TERMINATE AND BE OF NO EFFECT AFTER JUNE 30, 2027.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
19 members appointed to the Commission on Hate Crime Response and Prevention under §
20 ~~6-802(b)(6)~~ 6-802(b)(1) and (9) of the State Government Article, as enacted by Section 1 of
21 this Act, shall expire as follows:

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

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

24 (1) five members in 2025;

25 (2) five members in 2026; and

26 (3) six members in 2027.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2024.