

State of Maryland

Commission on Civil Rights

“Our vision is to have a State that is free from any trace of unlawful discrimination.”



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March 3, 2020

House Bill 1147 - Places of Public Accommodation and Public Buildings - Single-Occupancy Public Restrooms - Availability (The Accessible to All Act) Letter of Information

Dear Chairpersons Davis and Pendergrass, and Members of the House Economic Matters and Health & Government Operations committees:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, and physical and mental disability.

House Bill 1147 requires that single-occupancy bathrooms have signage posted that does not use pictorial representation, and only uses descriptive language, such as the words “restroom” or “bathroom”. Counties and municipalities are charged with enforcing the bill’s provisions for places of public accommodation within their respective jurisdictions, and the bill authorizes the counties and municipalities to set and collect fines (with caps) to cover the costs associated with enforcing this bill.

While the Maryland Commission on Civil Rights is supportive of initiatives to enhance inclusivity across the State, MCCR is concerned about the construction of this legislation. This signage mandate is placed in MCCR’s State Government Article Title 20, which establishes the State’s anti-discrimination laws and charges MCCR with their enforcement. This revision, MCCR believes, should be made in either the Local Government Article (if in the Code of Maryland) or adopted into the local ordinances of each jurisdiction throughout Maryland. This would ensure that the bill’s objectives are carried out while not being placed in a section of law that is not presently enforced by any county or municipality.

Alternatively, if it is the will of the committees to place this language in State Government Article Title 20, then MCCR recommends that the language on page 5, lines 9 through 24 be struck in their entirety.

Thank you for your time and consideration of this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.