

HOUSE BILL 907

K3

1lr1682

By: **Delegates Healey, Burns, and Nathan-Pulliam**

Introduced and read first time: February 11, 2011

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Employment Discrimination – Criminal Convictions**

3 FOR the purpose of prohibiting an employer from refusing to hire, discharge, or
4 otherwise discriminate against an individual because of information indicating
5 that an individual has been convicted of a certain criminal offense not directly
6 related to employment; exempting certain sexual offenses from this Act;
7 defining certain terms; and generally relating to employment discrimination.

8 BY adding to

9 Article – State Government
10 Section 20–606.1
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2010 Supplement)

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

15 **Article – State Government**

16 **20–606.1.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
18 MEANINGS INDICATED.

19 (2) “EMPLOYER” MEANS A PERSON ENGAGED IN A BUSINESS, AN
20 INDUSTRY, A PROFESSION, A TRADE, OR ANY OTHER ENTERPRISE IN THE STATE.

21 (3) “EMPLOYER” INCLUDES AN AGENT, REPRESENTATIVE, OR
22 DESIGNEE OF THE EMPLOYER.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THIS SECTION DOES NOT APPLY TO INFORMATION RELATING TO:**

2 **(1) A SEXUAL OFFENSE UNDER TITLE 3, SUBTITLE 3 OF THE**
3 **CRIMINAL LAW ARTICLE;**

4 **(2) SEXUAL ABUSE OF A MINOR UNDER § 3-602 OF THE CRIMINAL**
5 **LAW ARTICLE; OR**

6 **(3) ANY OFFENSE IN ANOTHER STATE OR IN A FEDERAL,**
7 **MILITARY, OR NATIVE AMERICAN TRIBAL COURT OF A CRIME THAT, IF**
8 **COMMITTED IN THIS STATE, WOULD CONSTITUTE ONE OF THE CRIMES LISTED**
9 **IN ITEMS (1) AND (2) OF THIS SUBSECTION.**

10 **(C) AN EMPLOYER MAY NOT FAIL OR REFUSE TO HIRE, DISCHARGE, OR**
11 **OTHERWISE DISCRIMINATE AGAINST ANY INDIVIDUAL WITH RESPECT TO THE**
12 **INDIVIDUAL'S COMPENSATION, TERMS, CONDITIONS, OR PRIVILEGES OF**
13 **EMPLOYMENT BECAUSE OF INFORMATION INDICATING THAT AN INDIVIDUAL**
14 **HAS BEEN CONVICTED OF A CRIMINAL OFFENSE THAT IS NOT DIRECTLY**
15 **RELATED TO EMPLOYMENT.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2011.