

SENATE BILL 751

D1, L1

1lr1938
CF HB 1081

By: **Charles County Senators**

Introduced and read first time: February 5, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Southern Maryland – Human Relations Commission**

3 FOR the purpose of authorizing the county commissioners of a code home rule county of the
4 Southern Maryland class to establish a Human Relations Commission for the county
5 and specifying the purpose of the Commission; making certain provisions of law
6 governing a certain county human relations commission applicable to a Human
7 Relations Commission established under this Act; defining a certain term; altering
8 a certain definition; making conforming changes; and generally relating to a Human
9 Relations Commission in a code home rule county of the Southern Maryland class.

10 BY repealing and reenacting, with amendments,

11 Article – Local Government

12 Section 29–101 through 29–109 to be under the amended title “Title 29. County
13 Human Relations Commissions”

14 Annotated Code of Maryland

15 (2013 Volume and 2020 Supplement)

16 BY adding to

17 Article – Local Government

18 Section 29–101.1

19 Annotated Code of Maryland

20 (2013 Volume and 2020 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Local Government**

24 Title 29. [St. Mary’s] County Human Relations [Commission] **COMMISSIONS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 29-101.

2 (a) In this title the following words have the meanings indicated.

3 (b) "Alternative dispute resolution" includes mediation.

4 (c) "Commission" means:

5 (I) the St. Mary's County Human Relations Commission; **OR**

6 (II) **A HUMAN RELATIONS COMMISSION IN A CODE HOME RULE**
7 **COUNTY OF THE SOUTHERN MARYLAND CLASS.**

8 (D) **"COUNTY COMMISSIONERS" MEANS THE COUNTY COMMISSIONERS OF**
9 **ST. MARY'S COUNTY OR THE COUNTY COMMISSIONERS OF A CODE HOME RULE**
10 **COUNTY OF THE SOUTHERN MARYLAND CLASS.**

11 **29-101.1.**

12 **THIS TITLE APPLIES TO ST. MARY'S COUNTY AND TO A CODE HOME RULE**
13 **COUNTY OF THE SOUTHERN MARYLAND CLASS.**

14 29-102.

15 (a) By ordinance or resolution, [the County Commissioners of St. Mary's County]
16 **COUNTY COMMISSIONERS** may establish a Human Relations Commission for [the] **THEIR**
17 county.

18 (b) The purposes of [the] A Commission are to:

19 (1) promote understanding and harmony of relationship among the people
20 of the county through the study of the nature and causes of social friction and prejudice;

21 (2) advance the means for the alleviation of social friction and prejudice;

22 and

23 (3) further the American ideal of equality and justice.

24 29-103.

25 (a) The [County Commissioners of St. Mary's County] **COUNTY**
26 **COMMISSIONERS** shall:

27 (1) determine the size of the Commission;

1 (2) appoint the members of the Commission; and

2 (3) ensure that the membership of the Commission reflects the diversity of
3 the people of the county.

4 (b) (1) The term of a member is 4 years.

5 (2) The terms of the members shall be staggered in a manner determined
6 by the [County Commissioners of St. Mary's County] **COUNTY COMMISSIONERS**.

7 (3) A member may not serve more than two consecutive terms.

8 29–104.

9 (a) From among its members, [the] A Commission shall select a chair and a vice
10 chair of the Commission.

11 (b) (1) The terms of the chair and vice chair are 1 year.

12 (2) A member may not serve as the chair or vice chair for more than two
13 consecutive terms.

14 29–105.

15 (a) A member of [the] A Commission may not receive compensation as a member
16 of the Commission.

17 (b) The [County Commissioners of St. Mary's County] **COUNTY**
18 **COMMISSIONERS** may appropriate money for the administrative support of the
19 Commission.

20 29–106.

21 (a) [The] A Commission may:

22 (1) provide advice and assistance related to the filing and processing of
23 grievances and complaints of discrimination with the appropriate federal and State
24 agencies;

25 (2) educate the community on the rights and responsibilities of people
26 relating to housing, employment, and public accommodations;

27 (3) advocate for the removal of all vestiges of discrimination; and

28 (4) assist in nonbinding alternative dispute resolution.

1 (b) [The] A Commission shall:

2 (1) use its influence and persuasion to direct the efforts of the community
3 to solving problems that many times are the basic reasons for racial tensions; and

4 (2) encourage and ensure equal treatment of all people, without regard to
5 race, color, religion, ancestry, national origin, sex, age, marital status, or physical or mental
6 disability, in compliance with federal, State, and local laws and regulations related to
7 housing, employment, and public accommodations.

8 29–107.

9 (a) A person seeking an alternative dispute resolution under this title shall file a
10 written request for alternative dispute resolution within 6 months after the date of the
11 incident giving rise to the request.

12 (b) (1) A person who satisfies the time requirements under subsection (a) of
13 this section is deemed to have complied with the requirements of § 20–1004 of the State
14 Government Article.

15 (2) [The] A Commission may provide a copy of a written request filed under
16 subsection (a) of this section to the Maryland Commission on Human Relations to verify
17 the compliance of a party with the requirements of § 20–1004 of the State Government
18 Article.

19 29–108.

20 (a) This section supersedes any contrary provision of the Public Information Act
21 [and], the St. Mary's County Open Meetings Act, **AND ANY COMPARABLE LOCAL LAW.**

22 (b) (1) Subject to paragraph (2) of this subsection:

23 (i) all activities of [the] A Commission that relate to an alternative
24 dispute resolution, a grievance, or a complaint of discrimination shall be conducted in
25 confidence and without publicity; and

26 (ii) [the] A Commission may meet in closed session when dealing
27 with an alternative dispute resolution, a grievance, or a complaint of discrimination.

28 (2) If all parties involved in an alternative dispute resolution, a grievance,
29 or a complaint of discrimination consent in writing, the activities of [the] A Commission
30 related to the alternative dispute resolution, grievance, or complaint of discrimination may
31 be conducted publicly.

32 (3) Except as provided under § 29–107 of this title, [the] A Commission
33 shall hold confidential all information concerning an alternative dispute resolution, a

1 grievance, or a complaint of discrimination, including the identities of the parties involved.

2 (4) [The] IN ST. MARY'S COUNTY, THE Commission shall hold
3 confidential any information and records obtained by a predecessor county body that was
4 authorized to perform a function similar to that of the Commission before July 1, 1997.

5 (c) (1) Information related to the activities or involvement of [the] A
6 Commission in an alternative dispute resolution, a grievance, or a complaint of
7 discrimination may not be admitted as evidence in any administrative proceeding or
8 litigation.

9 (2) The records of [the] A Commission may not be discovered in any
10 administrative proceeding or litigation.

11 (d) (1) Except as provided under § 29–107 of this title and paragraph (2) of this
12 subsection, information or records related to the activities or involvement of [the] A
13 Commission in an alternative dispute resolution, a grievance, or a complaint of
14 discrimination are not subject to public inspection under the Maryland Public Information
15 Act.

16 (2) Statistical information may be made available for public inspection
17 under § 4–501(e) of the General Provisions Article.

18 29–109.

19 (a) Subject to subsection (b) of this section, [the] A Commission shall file with the
20 [County Commissioners of St. Mary's County] COUNTY COMMISSIONERS a
21 comprehensive report of its activities at least once every 12 months.

22 (b) [The] A Commission may not reveal any confidential information in the report
23 to the county commissioners.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2021.