

investigate, conciliate, mediate, and report to the Governor in instances of discrimination in State agencies, boards, or departments; clarifying language making State agencies, officers and employees subject to certain prohibitions on discrimination, with an exception; making certain procedures applicable to discrimination cases against State agencies, officers and employees, with an exception; providing for the designation of persons to perform the functions of personnel of the Human Relations Commission who are themselves the subjects of discrimination cases; and generally relating to the authority of the Human Relations Commission in instances of discrimination by State agencies, boards, or departments.

BY repealing and reenacting, with amendments,

Article 49B - Human Relations Commission
Section 11B
Annotated Code of Maryland
(1972 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 11B of Article 49B - Human Relations Commission, of the Annotated Code of Maryland (1972 Replacement Volume and 1976 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 49B - Human Relations Commission

11B.

~~[No] AN officer or employee of a State agency, department or board [shall] MAY NOT discriminate in the hiring, firing, or [discriminate] DISCRIMINATION in any other manner, against any person because of race, creed, color, sex, age, national origin, marital status, or physical or mental handicap unrelated in nature and extent so as to reasonably preclude the performance of the employment. [; provided, however, that no] AN employment practice not unlawful under §§17, 18, and 19 of this article [shall] MAY NOT be deemed as unlawful employment practice by the State.~~

(A) THE AGENCIES, OFFICERS AND EMPLOYEES OF THE STATE OF MARYLAND MAY NOT ENGAGE IN ANY OF THE DISCRIMINATORY PRACTICES WHICH ARE PROHIBITED BY SECTIONS 11, 19, 22, 22A AND 23 OF THIS ARTICLE. HOWEVER, THE PROVISIONS OF SECTION 11 AND SECTION 22 MAY NOT BE CONSTRUED TO PREVENT THE STATE OF MARYLAND FROM PROVIDING SEPARATE FACILITIES FOR MALES AND FEMALES IN STATE OWNED OR STATE OPERATED PUBLIC INSTITUTIONS OR FROM OPERATING OR FUNDING SPECIAL OR SEPARATE PROGRAMS AND FACILITIES FOR CHILDREN, THE AGED, OR OTHER SPECIAL POPULATIONS.