

Section 15(h) and 20(u)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 Supplement)

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

**Article 49B - Human Relations Commission**

5.

(a) IN THIS SUBHEADING, "SEXUAL ORIENTATION" MEANS THE IDENTIFICATION OF AN INDIVIDUAL AS TO MALE OR FEMALE HOMOSEXUALITY, HETEROSEXUALITY, OR BISEXUALITY.

(B) It is unlawful for an owner or operator of a place of public accommodation or an agent or employee of the owner or operator, because of the race, creed, sex, age, color, national origin, marital status, SEXUAL ORIENTATION, or disability of any person, to refuse, withhold from, or deny to such person any of the accommodations, advantages, facilities and privileges of such place of public accommodation.

[(b)](C) Nothing in this section shall be construed or interpreted to prohibit the proprietor of any establishment, or the employees of the establishment, from the right to deny service to any person for failure to conform to the usual and regular requirements, standards and regulations for the establishment so long as the denial is not based upon discrimination on the grounds of race, sex, age, color, creed, national origin, marital status, SEXUAL ORIENTATION, or disability.

[(c)](D) For the purpose of this subtitle, a place of public accommodation means:

(1) Any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as the proprietor's residence;

(2) Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food or alcoholic beverages for consumption on or off the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station;

(3) Any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and

(4) Any establishment which:

(i) 1. Is physically located within the premises of any establishment otherwise covered by this section; or

2. Within the premises of which is physically located any establishment otherwise covered by this section; and