

HOUSE BILL 62

P4

(PRE-FILED)

4r1269
CF SB 133

By: **Delegate Simpson**

Requested: October 30, 2023

Introduced and read first time: January 10, 2024

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employee Rights and Protections – Personnel Actions and Harassment –**
3 **Investigation of Complaints**

4 FOR the purpose of increasing the time period during which an investigation must be
5 conducted and a written decision must be issued regarding a certain complaint filed
6 by a certain applicant or employee alleging discrimination or harassment by an
7 employer; authorizing certain applicants and employees to provide written
8 authorization to increase by an additional number of days the time period during
9 which an investigation of a complaint and a written decision must be completed; and
10 generally relating to State employee rights and protections.

11 BY repealing and reenacting, without amendments,
12 Article – State Personnel and Pensions
13 Section 5–211
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – State Personnel and Pensions
18 Section 5–212
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2023 Supplement)

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

23 **Article – State Personnel and Pensions**

24 5–211.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) An applicant or employee subject to this subtitle may file with the head of the
2 principal unit a written complaint:

3 (1) that alleges a violation of § 5–208 of this subtitle; or

4 (2) that alleges harassment in violation of § 20–606(a)(5) of the State
5 Government Article.

6 (b) A complaint under subsection (a)(1) of this section must be filed within 1 year
7 after the complainant first knew of or reasonably should have known of the alleged violation
8 that is the basis for the complaint.

9 (c) A complaint under subsection (a)(2) of this section must be filed within 2 years
10 after the alleged violation that is the basis for the complaint.

11 5–212.

12 (A) [Within 30] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
13 **WITHIN 60** days after a complaint under § 5–211 of this subtitle is received:

14 (1) an equal employment officer, under the direction of the fair practices
15 officer, shall investigate the complaint and recommend a proposed decision to the head of
16 the principal unit; and

17 (2) the head of the principal unit shall issue a written decision to the
18 complainant and may grant any appropriate relief.

19 (B) **THE TIME PERIOD UNDER SUBSECTION (A) OF THIS SECTION MAY BE**
20 **EXTENDED UP TO AN ADDITIONAL 30 DAYS IF THE APPLICANT OR EMPLOYEE WHO**
21 **FILED THE COMPLAINT PROVIDES WRITTEN AUTHORIZATION TO THE EQUAL**
22 **EMPLOYMENT OFFICER INVESTIGATING THE COMPLAINT.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2024.