

HOUSE BILL 218

D5

2lr1341

By: **Delegates Pena–Melnyk, Gutierrez, Oaks, and Tarrant**
Introduced and read first time: January 25, 2012
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on Civil Rights – Discrimination in Employment – Computation**
3 **of Time for Filing a Civil Action**

4 FOR the purpose of providing that certain time during which certain administrative
5 proceedings are pending is not included in the computation of a certain time
6 period for filing a civil action alleging an unlawful employment practice; and
7 generally relating to the Commission on Civil Rights, discrimination in
8 employment, and the computation of time for filing a certain civil action.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 20–1013(a)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2011 Supplement)

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

16 **Article – State Government**

17 20–1013.

18 (a) **(1)** In addition to the right to make an election under § 20–1007 of this
19 subtitle, a complainant may bring a civil action against the respondent alleging an
20 unlawful employment practice, if:

21 **[(1)] (I)** the complainant initially filed a timely administrative
22 charge or a complaint under federal, State, or local law alleging an unlawful
23 employment practice by the respondent;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(2)] (II) at least 180 days have elapsed since the filing of the
2 administrative charge or complaint; and

3 [(3)] (III) the civil action is filed within 2 years after the alleged
4 unlawful employment practice occurred.

5 (2) THE COMPUTATION OF THE 2-YEAR PERIOD FOR FILING A
6 CIVIL ACTION DOES NOT INCLUDE ANY TIME DURING WHICH AN
7 ADMINISTRATIVE PROCEEDING UNDER THIS PART WAS PENDING FOR A
8 COMPLAINT OR CHARGE BASED ON THE ALLEGED UNLAWFUL EMPLOYMENT
9 PRACTICE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2012.