

their human relations code. In a report from Prince Georgians for Equal Rights dated March 15, 1991 several incidents of harassment and

discrimination against lesbian and gay county residents are described.

These incidents according to the report have occurred in such areas as education, public accommodation and employment.

According to Ms. Funn, it is the responsibility of the HRC to protect citizens from discrimination. The Human Relations Commission after reviewing its research, the report from Prince Georgians for Equal Rights, comments from the State and testimony from individuals voted at its November meeting to recommend an amendment to include sexual orientation to their code. This bill includes protection if one would be perceived as a homosexual but is not.

The bill will amend Division 12 of the County Code which deals with the Human Relations Commission to include sexual orientation in the purpose of the Commissions efforts to foster and encourage the growth and development of the county in such a manner that all persons shall have an equal opportunity to pursue their lives free of discrimination. The bill will also add to the definition of discrimination the words "sexual orientation" to the list of reasons why one cannot discriminate.

The legislation will add sexual orientation to the appropriate sections of the Human Relations Code which go into detail regarding the following areas:

Subdivision 5. Prohibited Acts in Housing

Sec. 2-120 Sale or rental of housing; exception

Sec. 2-231.1 Prohibited Acts in Commercial Real Estate

Staff indicated to the committee the receipt of 1 letter in opposition to CB-23-1991 and 2 in support.

The Legislative Officer recommends a definition of sexual orientation be included to Sec. 2-186(a)(15.1). The Office of Law submitted a definition of sexual orientation to improve the legislation. Their staff surveyed other jurisdictions with similar laws which were included in their comments.

"Sexual Orientation shall mean the preference or practice of an individual as to male or female homosexuality, heterosexuality or bisexuality, or being regarded or identified as having such a preference."

Maureen McCleary, representing the Health Officer was present for the worksession. The Health Officer supports the legislation because of the complex problems in dealing with Acquired Immune Deficiency Syndrome AIDS and states in his April 12, 1991 letter to the committee chairman:

"For years public health professionals have called for anti-discrimination legislation so that homosexual and bisexual persons would self-identify in order to undergo counseling and testing to identify illness, learn safer sexual practices, and reduce transmission of the disease."

The following individuals spoke to the committee expressing their

support of the legislation. Their letters are on file:

* Ms. Chris Lavine representing the Commission for Women expressed the Commission's support of the legislation and she read a letter from the University of Maryland Gay and Lesbian Student Union,

* Kevin Watkins Chairperson for Prince Georgians for Equal Rights read a statement from this organization and indicated there are over 70,000 gay lesbian citizens in Prince George's County and absence of legislation encourages hate crimes and discrimination in employment and other areas. Mr. Watkins also stated that several states already have such legislation along with a number of private companies such as AT&T, IBM and Digital.

Mr. William Welch, Director of the Office of Human Relations told the committee that the legislation will not offer protection to those on the campus of the University of Maryland because it is a state institution.

This bill would become effective 45 days after it is adopted.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This bill will prohibit discrimination in housing, employment, law enforcement, education, financial lending, public accommodations, and commercial real estate practices on the basis of sexual orientation.