

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Bill No. CB-85-2014
 Chapter No. 66
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Members Toles, Franklin, Turner, and Patterson
 Co-Sponsors _____
 Date of Introduction October 14, 2014

BILL

1 AN ACT concerning

2 Human Relations Commission

3 For the purpose of increasing the caps on compensatory damages awarded and civil fines
 4 imposed by the Human Relations Commission for civil rights violations; expanding the
 5 imposition of civil fines to any civil rights violations enumerated under Subtitle 2, Division 12 of
 6 the County Code; and granting the Commission the authority to negotiate and collect the
 7 payments of civil fines and assessments as part of the conciliation procedure.

8 BY repealing and reenacting with amendments:

9 SUBTITLE 2. ADMINISTRATION.

10 Section 2-195.01,

11 The Prince George's County Code

12 (2011 Edition; 2013 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 14 Maryland, that Section 2-195.01 of the Prince George's County Code be and the same is hereby
 15 repealed and reenacted with the following amendments:

16 SUBTITLE 2. ADMINISTRATION.

17 DIVISION 12. HUMAN RELATIONS COMMISSION.

18 Subdivision 3. Enforcement Procedures.

19 **Sec. 2-195.01. Other Awards and Remedies.**

20 (a) In addition to the other awards and relief which are hereinafter provided, the
 21 Commission may, in accordance with the standards of proof set forth in Section 2-195, also

1 make the following monetary orders determined by the Commission from the evidence of record
2 as the actual damages, costs, or losses involved, or in such amounts as may be specified below:

3 * * * * *

4 (3) Damages may also be awarded to compensate complainant for humiliation and
5 embarrassment suffered in an amount determined by the Commission to be appropriately and
6 reasonably warranted considering all of the circumstances, but in no event shall the amount be in
7 excess of [One] Two Hundred Thousand Dollars [(\$100,000.00)] (\$200,000).

8 * * * * *

9 (b) In addition to other awards and relief set forth above, the Commission may impose a
10 civil fine up to [Five] Ten Thousand Dollars [(\$5,000)] (\$10,000), in accordance with the
11 standards of proof set forth in Section 2-195, on a respondent found to have violated [the
12 provisions of Subdivisions 6 and 7] any of the provisions of this Division. The Commission may
13 also negotiate and collect the payment of civil fines and assessments without holding a public
14 hearing, as part of the conciliation procedure set forth in Section 2-203. The terms of the
15 negotiated conciliation agreement between the respondent and the Executive Director, shall be
16 included in a written consent agreement, and if approved by a majority vote of the full
17 Commission, may be incorporated into an order of the Commission, as set forth in Section 2-203.

18 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
19 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
20 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
21 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
22 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
23 Act, since the same would have been enacted without the incorporation in this Act of any such
24 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

25 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
26 calendar days after it becomes law.

Adopted this 12th day of November, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.