



February 29, 2012

The Honorable Brian E. Frosh
Judicial Proceedings Committee
2 East, Miller Senate Building
Annapolis, MD 21401-1912

Re: SB 491 - Civil Rights - Discrimination by a Place of Public Accommodation - Enforcement and Remedies - **Oppose**

Dear Senator Frosh:

Protections and remedies regarding discrimination by a place of public accommodation are already provided for under the Americans with Disabilities Act (ADA), as well as the federal civil rights laws. Under the ADA, remedies are available to require the defendant to pay legal fees (its own and the plaintiff's), as well as for any needed modifications.

Creating a broad private right of action against places of public accommodation under a state law will create an open invitation for increased and unnecessary lawsuits at the state level. Often, a business may not be aware that a violation has occurred. The business should be given notice and the opportunity to redress the issue, rather than becoming the target of immediate and unnecessary litigation.

Currently, no notice or grace period is required under federal law, and this only serves to compound the problem of excessive civil actions. As the current federal laws provide sufficient and fair remedies to address such cases of discrimination, the creation of a further private right of action on the state level will only serve to make Maryland a less attractive and less competitive place to do business.

The Carroll County Chamber of Commerce, representing approximately 500 businesses, respectfully requests that this bill be given an unfavorable report.

Sincerely,

A handwritten signature in cursive script that reads 'Michael McMullin'.

Michael McMullin
President
Carroll County Chamber of Commerce

CC: Senator Joseph M. Getty
Delegate Susan W. Krebs