



March 1, 2023

Judicial Proceedings Committee
Senator William C. Smith, Jr.
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

RE: **SB 0540** – Human Relations - Civil Rights Enforcement - Powers of the Attorney General– **Oppose**

Dear Senator Smith:

SB 0540 would expand the authority of the Attorney General to assume the responsibility to investigate, and prosecute civil rights violations committed under state or federal law. This is a dramatic departure from the normal duties of the Attorney General as outline in Maryland law

The Carroll County Chamber’s members support civil rights laws and the need to enforce compliance with these laws and regulations. Maryland and the federal government currently have extensive civil rights laws that provide numerous forums for persons to file complaints and have those complaints investigated and remediated, if found to be in violation of such laws. However, what the Attorney General is proposing in SB 0540 raises several concerns:

- that the mission of the Maryland Human Relations Commission will be circumvented and/or preempted.
- this new authority may be used to alter existing or create new public policy for civil rights; and
- employers may be subjected to unwarranted punitive litigation and fines that would exacerbate the negative perception of Maryland’s business climate.
- Employers may be subjected to duplicative federal and state claims, investigations, and discovery.

If there is a justification for the Attorney General to assume the responsibility of Maryland special investigator and prosecutor for civil rights, the bill should include language indicating that this new authority: be limited to extraordinary systemic civil rights violations of statewide significance that the federal and state agencies are unable to adequately investigate and enforce. The Attorney General should work with public, local, state and federal agencies to identify systemic civil rights violations. When such civil rights violations are confirmed, the Attorney General may elect to bring a civil rights action.

The Carroll County Chamber of Commerce, a business advocacy organization of over 700 members, opposes this bill and therefore requests that you give it an unfavorable report.

Sincerely,

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

Mike McMullin
President
Carroll County Chamber of Commerce

Cc: Senator Justin Ready
Delegate April Rose

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