

HOUSE BILL 1253

P1, D5

5lr1887

By: **The Speaker**

Introduced and read first time: February 7, 2025

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Social Equity – Established**

3 FOR the purpose of establishing the Maryland Department of Social Equity; providing for
4 the Secretary of Social Equity; providing for the administration, staffing, purpose,
5 and duties of the Department; requiring a unit of State government other than the
6 Department to refer a certain person to the Department; providing that the
7 Department is the successor of certain units in regard to the operation of social
8 equity programs; authorizing the Governor to transfer certain positions, associated
9 funds, and unexpended appropriations; and generally relating to the Maryland
10 Department of Social Equity.

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 8–201
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2024 Supplement)

16 BY adding to
17 Article – State Government
18 Section 9–4101 through 9–4106 to be under the new subtitle “Subtitle 41. Maryland
19 Department of Social Equity”
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2024 Supplement)

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

24 **Article – State Government**

25 8–201.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) The Executive Branch of the State government shall have not more than [21]
22 principal departments, each of which shall embrace a broad, functional area of that
Branch.

(b) The principal departments of the Executive Branch of the State government
are:

- (1) Aging;
- (2) Agriculture;
- (3) Budget and Management;
- (4) Commerce;
- (5) Disabilities;
- (6) Emergency Management;
- (7) the Environment;
- (8) General Services;
- (9) Health;
- (10) Housing and Community Development;
- (11) Human Services;
- (12) Information Technology;
- (13) Juvenile Services;
- (14) Labor;
- (15) Natural Resources;
- (16) Planning;
- (17) Public Safety and Correctional Services;
- (18) Service and Civic Innovation;
- (19) **SOCIAL EQUITY;**
- (20) State Police;

1 [(20)] **(21)** Transportation; and

2 [(21)] **(22)** Veterans and Military Families.

3 **SUBTITLE 41. MARYLAND DEPARTMENT OF SOCIAL EQUITY.**

4 **9-4101.**

5 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
6 **INDICATED.**

7 **(B) “DEPARTMENT” MEANS THE MARYLAND DEPARTMENT OF SOCIAL**
8 **EQUITY.**

9 **(C) “SECRETARY” MEANS THE SECRETARY OF SOCIAL EQUITY.**

10 **(D) “UNIT OF STATE GOVERNMENT” OR “UNIT” MEANS AN AGENCY OR UNIT**
11 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

12 **9-4102.**

13 **(A) THERE IS A MARYLAND DEPARTMENT OF SOCIAL EQUITY,**
14 **ESTABLISHED AS A PRINCIPAL DEPARTMENT OF THE STATE GOVERNMENT.**

15 **(B) (1) THE HEAD OF THE DEPARTMENT IS THE SECRETARY OF SOCIAL**
16 **EQUITY, WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND**
17 **CONSENT OF THE SENATE.**

18 **(2) THE SECRETARY SERVES AT THE PLEASURE OF THE GOVERNOR.**

19 **(C) THE DEPARTMENT SHALL EMPLOY STAFF TO CARRY OUT ITS DUTIES AS**
20 **PROVIDED IN THE STATE BUDGET.**

21 **9-4103.**

22 **(A) THE PURPOSE OF THE DEPARTMENT IS TO:**

23 **(1) PROVIDE SUPPORT FOR UNITS OF STATE GOVERNMENT,**
24 **INDIVIDUALS, AND BUSINESSES FOR THE MAINTENANCE OF SOCIAL EQUITY**
25 **POLICIES IN THE STATE;**

26 **(2) MONITOR TRENDS IN SOCIAL EQUITY PROGRAMS AND POLICIES**
27 **ACROSS THE NATION;**

(3) PROPOSE NEW AND INNOVATIVE APPROACHES TO SOCIAL EQUITY PROGRAMS;

(4) COMPILE AND PRODUCE REPORTS AND RECOMMENDATIONS RELATED TO SOCIAL EQUITY; AND

(5) ENSURE THE FULFILLMENT OF THE ROLES AND RESPONSIBILITIES OF THE ENTITIES AND SOCIAL EQUITY PROGRAMS IN THE STATE FOR WHICH IT IS THE SUCCESSOR.

(B) THE DEPARTMENT SHALL:

(1) CONNECT A PERSON WITH PROGRAMS IN STATE, FEDERAL, AND LOCAL GOVERNMENT THAT SERVE DESIGNATED POPULATIONS TO ENSURE THE PERSON IS CONNECTED TO PROGRAMS AND OTHER OPPORTUNITIES THE PERSON IS ELIGIBLE FOR;

(2) PROVIDE UNITS OF STATE GOVERNMENT WITH ASSISTANCE RELATED TO THE PURPOSE OF THE DEPARTMENT BY:

(I) FACILITATING INFORMATION SHARING BETWEEN UNITS;

(II) MAINTAINING AN INVENTORY OF SOCIAL EQUITY WORK PERFORMED BY EACH UNIT AND RELEVANT REPORTS FROM THOSE UNITS;

(III) CONDUCTING POLICY ANALYSES ON SOCIAL EQUITY AND THE EFFECTIVENESS OF SOCIAL EQUITY PROGRAMS;

(IV) ADOPTING STANDARDS FOR UNITS TO PROMOTE SOCIAL EQUITY; AND

(V) PROVIDING TECHNICAL ASSISTANCE TO UNITS; AND

(3) ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

9-4104.

A UNIT OF STATE GOVERNMENT OTHER THAN THE DEPARTMENT SHALL:

(1) ENSURE THAT A PERSON THAT INTERACTS WITH THE UNIT'S PROGRAM FOR DESIGNATED POPULATIONS IS CONNECTED WITH ALL STATE

PROGRAMS FOR WHICH THE PERSON MAY BE ELIGIBLE BY REFERRING THE PERSON
TO THE DEPARTMENT; AND

(2) UTILIZE STANDARDS SET BY THE DEPARTMENT RELATED TO
SOCIAL EQUITY.

9-4105.

ON OR BEFORE DECEMBER 1, 2026, AND EACH YEAR THEREAFTER, THE
DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH §
2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY ON:

(1) THE WORK OF THE DEPARTMENT IN THE IMMEDIATELY
PRECEDING YEAR; AND

(2) RECOMMENDED CHANGES TO LAWS OR POLICIES TO PROMOTE
SOCIAL EQUITY.

9-4106.

(A) THE ATTORNEY GENERAL IS LEGAL ADVISER TO THE DEPARTMENT.

(B) THE ATTORNEY GENERAL SHALL ASSIGN TO THE DEPARTMENT THE
NUMBER OF ASSISTANT ATTORNEYS GENERAL AUTHORIZED BY LAW TO BE ASSIGNED
TO THE DEPARTMENT AND ANY ADDITIONAL ASSISTANT ATTORNEYS GENERAL
NECESSARY TO GIVE EFFECTIVE LEGAL ADVICE AND COUNSEL.

(C) THE ATTORNEY GENERAL ALSO SHALL DESIGNATE AN ASSISTANT
ATTORNEY GENERAL AS COUNSEL TO THE DEPARTMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In regard to the operation of social equity programs by the State, the Maryland
Department of Social Equity is the successor of:

(1) the Governor's Office of Small, Minority, and Women-Owned Business
Affairs;

(2) the Office of Social Equity in the Maryland Cannabis Administration;
and

(3) the Office of Minority Business Enterprises in the Maryland
Department of Transportation.

(b) When determining how and when to transfer personnel from the Governor's Office of Small, Minority, and Women-Owned Business Affairs, the Office of Social Equity in the Maryland Cannabis Administration, and the Office of Minority Business Enterprises in the Maryland Department of Transportation to the Maryland Department of Social Equity, the Governor and the Department of Budget and Management shall minimize costs to the State and maximize the efficient operation of social equity programs.

(c) In every law, executive order, rule, regulation, policy, or document created by an official, an employee, or a unit of this State, the names and titles of those agencies and officials mean the names and titles of the successor agency or official for matters regarding the operation of social equity programs by the State.

SECTION 3. AND BE IT FURTHER ENACTED, That, as of the effective date of this Act, an individual who is a merit employee or contract staff in a budgeted position of the Governor's Office of Small, Minority, and Women-Owned Business Affairs, the Office of Social Equity in the Maryland Cannabis Administration, or the Office of Minority Business Enterprises in the Maryland Department of Transportation and whose position is transferred to the Maryland Department of Social Equity to oversee the regulation of cannabis shall be transferred without any change to, or loss of, the individual's rights, pay, working conditions, benefits, or status, and shall retain the individual's merit system status and retirement system status.

SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Governor may transfer to the Maryland Department of Social Equity positions, associated funds, and unexpended appropriations under applicable budget codes that were included in the fiscal year 2026 State budget as enacted by Chapter ____ (S.B. 319) (H.B. 350) of the Acts of the General Assembly of 2025.

SECTION 5. AND BE IT FURTHER ENACTED, That, on or before July 1, 2026, the Maryland Department of Social Equity shall submit a report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly that:

(1) identifies all State programs and units dedicated to social equity or that have a social equity component; and

(2) makes recommendations regarding how State programs and units can be reorganized, coordinated, or otherwise made more effective and more efficient to promote social equity.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.