

HOUSE BILL 748

P1

4lr1891

By: **Delegates Cardin, Allen, Attar, Edelson, Kaiser, Kaufman, Rosenberg,
Schmidt, Solomon, Spiegel, Stein, and Vogel**

Introduced and read first time: January 31, 2024

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Commission on Hate Crime Response and Prevention –**
3 **Code of Conduct**

4 FOR the purpose of requiring the Attorney General to adopt a code of conduct for members
5 of the Commission on Hate Crime Response and Prevention, adopt a policy for
6 investigating violations of the code of conduct, and establish a process for members
7 of the public to report alleged violations; authorizing the Attorney General to
8 suspend or remove members of the Commission under certain circumstances; and
9 generally relating to a code of conduct for members of the Commission on Hate Crime
10 Response and Prevention.

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 6–802
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2023 Supplement)

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

18 **Article – State Government**

19 6–802.

20 (a) There is a Commission on Hate Crime Response and Prevention in the Office
21 of the Attorney General.

22 (b) The Commission consists of the following members, appointed by the Attorney
23 General:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) one representative of the Anti–Defamation League;
- 2 (2) one representative of the Asian American and Pacific Islander
3 community;
- 4 (3) one representative of the Women’s Law Center;
- 5 (4) one representative of the Baltimore Jewish Council;
- 6 (5) one representative of the Coalition Opposed to Violence and Extremism;
- 7 (6) one representative of the Council on American–Islamic Relations
8 Maryland Office;
- 9 (7) one representative of Free State Justice;
- 10 (8) one representative of the Jewish Community Relations Council;
- 11 (9) one representative of the Immigration Outreach Service Center;
- 12 (10) one representative of the Maryland Association of Human
13 Relations/Human Rights Agencies;
- 14 (11) one representative of the Maryland Chiefs of Police Association;
- 15 (12) one representative of the Maryland Commission on Civil Rights;
- 16 (13) one representative of the Maryland Coordination and Analysis Center;
- 17 (14) one representative of the Maryland Center for School Safety;
- 18 (15) one representative of the Maryland Sheriffs’ Association;
- 19 (16) one representative of the Maryland State’s Attorneys’ Association;
- 20 (17) one representative of the National Alliance on Mental Illness;
- 21 (18) one representative of the National Association for the Advancement of
22 Colored People;
- 23 (19) one representative of the Pride Center of Maryland;
- 24 (20) one representative of the Sikh Coalition; and
- 25 (21) two members of the general public.
- 26 (c) (1) The term of an appointed member of the Commission is 4 years.

(2) The terms of the appointed members are staggered as required by the terms provided for members of the Commission on June 1, 2023.

(3) At the end of a term, an appointed member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(D) (1) THE ATTORNEY GENERAL SHALL ADOPT AND MAKE PUBLICLY AVAILABLE:

(I) A CODE OF CONDUCT FOR MEMBERS OF THE COMMISSION;
AND

(II) A POLICY FOR INVESTIGATING VIOLATIONS OF THE CODE OF CONDUCT.

(2) THE ATTORNEY GENERAL MAY SUSPEND A MEMBER OF THE COMMISSION PENDING THE RESULTS OF AN INVESTIGATION CONSISTENT WITH THE POLICY ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) THE ATTORNEY GENERAL MAY REMOVE A MEMBER OF THE COMMISSION WHO THE ATTORNEY GENERAL, AFTER AN INVESTIGATION CONSISTENT WITH THE POLICY ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, FINDS HAS VIOLATED THE CODE OF CONDUCT.

(4) THE ATTORNEY GENERAL SHALL ESTABLISH A PROCESS BY WHICH MEMBERS OF THE PUBLIC MAY REPORT ALLEGED VIOLATIONS OF THE CODE OF CONDUCT BY MEMBERS OF THE COMMISSION.

[(d)] (E) (1) The Attorney General, or the Attorney General's designee, is the chair of the Commission.

(2) The Office of the Attorney General shall provide staff for the Commission.

[(e)] (F) In fiscal year 2025 and in each fiscal year thereafter, the Governor shall include funds in the State budget to implement this section, including funds to:

(1) employ a full-time assistant Attorney General to staff the Commission;
and

(2) operate and maintain the office.

1 ~~[(f)] (G)~~ (1) A majority of members of the Commission shall constitute a
2 quorum for the transaction of business.

3 (2) The Commission may adopt rules governing the administration and
4 proceedings of the Commission.

5 ~~[(g)] (H)~~ A member of the Commission:

6 (1) may not receive compensation as a member of the Commission; but

7 (2) is entitled to reimbursement for expenses under the Standard State
8 Travel Regulations, as provided in the State budget.

9 ~~[(h)] (I)~~ The Commission shall:

10 (1) develop strategies to prevent and respond to hate crime activity; and

11 (2) evaluate State laws and policies relating to hate crimes.

12 ~~[(i)] (J)~~ (1) On or before December 1 each year, beginning in 2024, the
13 Commission shall report to the State Department of Education on policy recommendations
14 to address hate crimes that occur in schools.

15 (2) On or before December 1 each year, beginning in 2024, the Commission
16 shall report to the General Assembly, in accordance with § 2–1257 of the State Government
17 Article, on legislative recommendations to address hate crimes in the State.

18 **(3) ON OR BEFORE DECEMBER 1, 2025, AND EACH YEAR**
19 **THEREAFTER, THE ATTORNEY GENERAL SHALL REPORT TO THE GENERAL**
20 **ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THIS ARTICLE, ON ANY**
21 **INVESTIGATIONS THE ATTORNEY GENERAL CONDUCTS UNDER SUBSECTION (D) OF**
22 **THIS SECTION.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2024.