

West's Annotated Code of Maryland
State Government (Refs & Annos)
Title 20. Human Relations (Refs & Annos)
Subtitle 11. Prohibited Acts; Criminal Penalties (Refs & Annos)

MD Code, State Government, § 20-1101

§ 20-1101. Disclosure of confidential information

Effective: October 1, 2009

[Currentness](#)

Confidentiality of investigation; disclosure of information prohibited; exceptions

(a)(1) Except as provided in paragraph (2) of this subsection, during an investigation of a complaint alleging a discriminatory act, and until the matter reaches the stage of public hearings:

(i) the activities of all members and employees of the Commission in connection with the investigation shall be conducted in confidence and without publicity; and

(ii) the members and employees of the Commission may not disclose any information relating to the investigation, including the identity of the complainant and the respondent.

(2)(i) Information may be disclosed at any time if both the complainant and respondent agree to the disclosure in writing.

(ii) The identity of the complainant may be disclosed to the respondent at any time.

Penalty

(b) A member or employee of the Commission who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

Credits

Added by [Acts 2009, c. 120, § 2](#), eff. Oct. 1, 2009.

Editors' Notes

LEGISLATIVE NOTES

Revisor's Note (Acts 2009, c. 120):

This section is new language derived without substantive change from former Art. 49B, § 13.

In the introductory language of subsection (a)(1) of this section, the defined term “discriminatory act” is substituted for the former reference to “a violation of § 5, § 7, § 8, § 16, § 17, § 22, § 23, or § 24 of this article” for brevity. Although the reference to a “discriminatory act” includes violations that were not listed in the former law (*e.g.*, former Art. 49B, § 8A (Leasing of Commercial Property)), the Human Relations Commission Law Article Review Committee suggests that the failure to make all investigations confidential was an apparent oversight. This substitution is called to the attention of the General Assembly.

In subsection (a)(1)(ii) of this section, the reference to the “members and employees of” the Commission is added for clarity and consistency with subsection (a)(1)(i) of this section.

Also in subsection (a)(1)(ii) of this section, the phrase “may not disclose” is substituted for the former phrase “shall hold confidential” for clarity and consistency with similar provisions in other revised articles. *See, e.g.*, HO § 14-411 and HU §§ 1-201 and 1-202. Correspondingly, in subsection (a)(2)(i) of this subsection, the words “disclosed” and “disclosure” are substituted for the former words “released” and “release”, respectively.

Defined terms: “Commission” § 20-101

“Complainant” § 20-101

“Discriminatory act” § 20-101

“Including” § 1-101

“Respondent” § 20-101

Notes of Decisions (3)

MD Code, State Government, § 20-1101, MD STATE GOVT § 20-1101

Current through all legislation from the 2024 Regular Session of the General Assembly. Some statute sections may be more current, see credits for details.