

# **HB474/SB566 has NO EXEMPTIONS<sup>1</sup> for:**

- ⇒ Dating services
- ⇒ Renters looking for roommates
- ⇒ Bathrooms, lockers or showers
- ⇒ Schools, daycare services
- ⇒ Churches or religious employers<sup>1</sup>
- ⇒ Individual conscience
- ⇒ Freedom of speech<sup>2</sup>

<sup>1</sup>Religious schools and churches might think they are exempted from the effects of the Gender Identity bill because the current Human Relations 49B /State Government code “Title 20. Human Relations” gives them an exemption from other protected classifications.

**However, the new gender identity bill does not include a gender identity exemption for anyone, including churches and religious schools, daycare centers, public bathrooms, dressing rooms, gyms, locker rooms, employment, etc.**

There is no exemption either in article 49B or in title 20 for Orthodox Jewish, Muslim and Christian businesses. Thus Gender Identity would be the only classification that no one is exempt from, with the exception of small landlords who live on the rental premises.

<sup>2</sup> i.e. protection for those affirming birth sex – through speech, writing, advice counseling, pronouns usage, etc.

**Gender Identity Bill HB 474/SB 566  
Takes Away Constituents’ Liberty because it  
Fails to Include Exceptions  
for Religion or Individual Conscience.**

**Vote NO HB 474/SB 566**

Maryland Citizens for Responsible Government  
[www.NotMyShower.com](http://www.NotMyShower.com)

The religious exemption in State Government Article of the Annotated Code of Maryland, to be designated as Title 20 (formerly Article 49B), gives *exemptions to allow religious entities to employ those of their own religion*. HB 474/SB 566 fails to add a "gender identity" exception to 20-605(Art. 49B, Section 18) and 20-605(A)(3)(Art. 49B, Section 16(g)(3)) in order for religious schools and churches to have an exemption to continue to make hiring decisions on the basis of gender identity.

Without such exemptions, for example, a *Catholic school could be forced to employ a Catholic cross-dressing or transgender teacher* despite contradictions with the school's religious belief.

There is no exemption for employers such as Christian bookstores or Orthodox Jews, Muslims, Christians, etc. who operate secular businesses. There is no exemption for your constituents who use pronouns consistent with a person's assigned birth sex.

## HB 474/SB 566 needs to create an exemption to protect religious rights and individual conscience.

### *State Government Article of the Annotated Code of Maryland, to be designated and known as "Title 20":*

**20-604. Scope of Subtitle** (formerly Art. 49B, Section 18) states:

This subtitle does not apply to: ... (2) A religious corporation, association, educational institution, or society with respect to the employment of individuals of a *particular religion* or *sexual orientation* to perform work connected with the activities of the religious entity.

**20-605. Exceptions....** (A)(3)(formerly Art. 49B, Section 16(g)(3)) states:

(A) In general. Notwithstanding any other provisions of this subtitle, this subtitle does not prohibit:

(3) A school, college, university, or other educational institution from hiring and employing employees of a *particular religion*, if:

- (I) the institution is wholly or substantially owned, supported, controlled, or managed by a *particular religion* or by a particular religious corporation, association, or society; or
- (II) The curriculum of the institution is directed towards the propagation of a *particular religion*.

Source: <http://mlis.state.md.us/2009rs/bills/hb/hb0051t.pdf>

*An example of the potential wording of exemptions is provided in the Baltimore City law signed by then Mayor now Governor O'Malley.*

(1) "it is NOT discrimination for any person to provide separate toilet facilities for males and females."

(2) "it is NOT discrimination for an educational institution to restrict its student body and student activities to one sex or the other;"

(3) "it is NOT discrimination for an employer to disqualify a person with a physical or mental disability when the nature or extent of the disability makes the person unfit or unsuited for the job;"

(4) "it is NOT discrimination for any religious or denominational institution to .... make any selection as is calculated by the institution to promote religious principles for which it is established;"

(5) "it is NOT discrimination for an educational institution to provide special educational or recreational programs for individuals with a physical or mental disability;"

Maryland Citizens for Responsible Government  
[www.NotMyShower.com](http://www.NotMyShower.com)