



Montgomery
County Council

Committee

Staff: Amanda Mihill, Legislative Attorney

Purpose: To introduce agenda item – no vote expected

Keywords: #NaturalHairMoCo

REVISED
AGENDA ITEM #7A
September 24, 2019
Introduction

SUBJECT

Bill 30-19, Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles (CROWN Act)

Lead Sponsor: Councilmember Jawando and Council President Navarro

Co-Sponsors: Councilmembers Riemer and Hucker

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- To introduce Bill – no vote expected

DESCRIPTION/ISSUE

Bill 30-19 would prohibit discrimination based on certain protective hairstyles by clarifying that for purposes of the County’s anti-discrimination law, race includes traits historically associated with race, including hair texture and protective hairstyles (such as braids, locks, afros, curls, and twists).

This is a revised introduction memorandum. The substantive change from the memorandum distributed on September 19 is the addition of Section 2 on lines 49-51 which identifies the bill as the “Montgomery County CROWN (Creating a Respectful and Open World for Natural Hair) Act.”

SUMMARY OF KEY DISCUSSION POINTS

- None

This report contains:

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MEMORANDUM

September 23, 2019

TO: County Council

FROM: Amanda Mihill, Legislative Attorney

SUBJECT: Bill 30-19, Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles (CROWN Act)

PURPOSE: Introduction – no Council vote required

Bill 30-19, Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles (CROWN Act), sponsored by Lead Sponsors Councilmember Jawando and Council President Navarro and Co-Sponsors Councilmembers Riemer and Hucker, is scheduled to be introduced on September 24. A public hearing is tentatively scheduled for October 15 at 1:30 p.m.

Bill 30-19 would prohibit discrimination based on certain protective hairstyles by clarifying that for purposes of the County’s anti-discrimination law, race includes traits historically associated with race, including hair texture and protective hairstyles (such as braids, locks, afros, curls, and twists).¹ A memorandum from the lead sponsor is attached at ©5

This is a revised introduction memorandum. The substantive change from the memorandum distributed on September 19 is the addition of Section 2 on lines 49-51 which identifies the bill as the “Montgomery County CROWN (Creating a Respectful and Open World for Natural Hair) Act.”

This packet contains:	<u>Circle #</u>
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¹ #NaturalHairMoCo

Bill No. 30-19
Concerning: Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles (CROWN Act)
Revised: 9/23/2019 Draft No. 3
Introduced: September 24, 2019
Expires: March 24, 2021
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Jawando and Council President Navarro
Co-Sponsors: Councilmember Riemer and Hucker

AN ACT to:

- (1) prohibit discrimination based on certain protective hairstyles; and
- (2) generally amend County laws regarding discrimination.

By amending

Montgomery County Code
Chapter 8A, Cable Communications
Section 8A-15

Chapter 23A, Group Homes
Section 23A-10

Chapter 27, Human Rights and Civil Liberties
Section 27-6

Chapter 33, Personnel and Human Resources
Section 33-72

Chapter 53, Taxicabs
Section 53-312

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 8A-15, 23A-10, 27-6, 33-72, and 53-312 are amended as**
2 **follows:**

3 **8A-15. Service discrimination and exclusive programming agreements**
4 **prohibited.**

5 (a) Unless approved by the County and to the extent consistent with federal
6 law, a franchisee must not, in its cable service rates or charges, or in the
7 availability of its cable services, or in any other respect, grant undue
8 preferences or advantages to any subscriber or potential subscriber, or to
9 any user or potential user, nor subject any of these persons to any undue
10 prejudice or any disadvantage. Unless prohibited by applicable federal
11 law, the County may require the franchisee to have a uniform rate
12 structure for its cable services throughout the franchise area. A franchisee
13 must not deny, delay, or otherwise burden service or discriminate against
14 subscribers or users on the basis of age, race, religion, color, sex, sexual
15 orientation, gender identity, handicap, national origin, or marital status,
16 except for discounts for the elderly and handicapped, as defined in
17 Chapter 27.

18 * * *

19 **23A-10. License conditions.**

20 * * *

21 (h) *Discrimination.* A group home provider must not discriminate in
22 admitting or providing care to an individual because of the individual's
23 race, color, religion, national origin, or disability, as defined in Chapter
24 27.

25 * * *

26 **27-6. Definitions.**

27 The following words and phrases have the following meanings, unless the
28 context indicates otherwise:

29 * * *

30 Protective hairstyles includes hairstyles such as braids, locks, afros, curls, and
31 twists.

32 * * *

33 Race includes traits historically associated with race, including hair texture and
34 protective hairstyles.

35 * * *

36 **33-72. Employee organization responsibilities.**

37 It shall be the responsibility of every employee organization not to:

38 * * *

39 (e) Discriminate against an employee with regard to the terms or conditions
40 of membership because of race, color, religion, creed, sex, age, national
41 origin, ancestry, or marital status, as defined in Chapter 27.

42 **53-312. Duty to accept and convey passengers.**

43 * * *

44 (b) A driver must not refuse to transport a passenger because of the
45 passenger’s disability, race, color, marital status, religious creed, age,
46 sex, national origin, sexual orientation, gender identity, or geographic
47 location, as defined in Chapter 27.

48 * * *

49 **Sec. 2.**

50 This Act is known as the “Montgomery County CROWN (Creating a
51 Respectful and Open World for Natural Hair) Act.”

LEGISLATIVE REQUEST REPORT

Bill 30-19

Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles (CROWN Act)

DESCRIPTION: To prohibit discrimination based on certain natural hairstyles.

PROBLEM: County law does not specifically note that racial discrimination includes discrimination based on a person's hairstyle.

GOALS AND OBJECTIVES: To clarify County law.

COORDINATION: Office of Human Rights

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: Not applicable.

EXPERIENCE ELSEWHERE: Not applicable.

SOURCE OF INFORMATION: Amanda Mihill, Legislative Attorney (240) 777-7815

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: Not applicable.



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

WILL JAWANDO
COUNCILMEMBER
AT-LARGE

MEMORANDUM

TO: Councilmembers

FROM: Will Jawando, Councilmember *WJ*

DATE: September 18, 2019

SUBJECT: Amendment to the Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles Legislation

On September 24, 2019, I and Council President Nancy Navarro will be introducing Bill 30-19, Amendment to the Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles Legislation. The Bill will be referred to as the **Natural Hair Bill**. This legislation will:

- (1) prohibit discrimination based on certain natural hairstyles; and
- (2) generally, amend County laws regarding discrimination.

The goal of this legislation is to clarify the definition of what hair types are covered under the definition of protected styles in Section 27-6 of the Human Rights and Civil Liberties – Race Discrimination – Protective Hairstyles.

Montgomery County is a majority-minority county with over half the population identifying as people of color. Black and Hispanic women make up about 36% of the population. At over 200,000 women and girls, Black and Hispanic women account for the highest number of ethnic populations in Montgomery County. In the context of discrimination, hair style policies are used as a tool to discriminate against Black and Hispanic women in the workplace.

In their move to address the discriminatory practices against women of color, California and New York have both passed legislation prohibiting discrimination against natural hair.

With this legislation, Montgomery county can move closer towards who we aspire to be, a more inclusive county that is focused on racial and ethnic equity.

If you have any questions or if you would like to co-sponsor this bill, please contact Cecily Thorne in my office.
Thanks in advance for your consideration.