

such program, on the basis of his religion or national origin in those instances where *sex, age, religion or national origin* is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; [and] (2) it shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if such school, college, university, or other educational institution or institution of learning is, in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or society or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion; and (3) it shall not be unlawful for an employer, employment agency or labor organization to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as a retirement, pension or insurance plan, which is not a subterfuge to evade the purposes of this subtitle, except that no such employee benefit plan shall excuse the failure to hire any individual.

(h) Nothing contained in this subtitle shall be interpreted to require any employer, employment agency, labor organization, or joint labor-management committee subject to this subtitle to grant preferential treatment to any individual or to any group because of the race, color, creed, *sex, age* or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, creed, *sex, age* or national origin employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color, creed, *sex, age* or national origin in any community, State, section, or other area, or in the available work force in any community, State, section, or other area.

28.

*Nothing in this Article shall be construed to preempt any power of Baltimore City or any county or municipality to enact and enforce laws or ordinances which relate to any matter covered by this Article so long as such laws or ordinances are not inconsistent with the provisions of this Article. No such laws or ordinances shall be construed to preempt any of the provisions of this Article.*

A LOCAL LAW OR AN ORDINANCE OR RESOLUTION VALIDLY ENACTED BY A POLITICAL SUBDIVISION OF THIS STATE WITHIN THE SUBJECT MATTER COVERED BY ANY OF THE SUBTITLES "DISCRIMINATION IN PUBLIC ACCOMMODATIONS," "DISCRIMINATION IN EMPLOYMENT," OR "DISCRIMINATION IN HOUSING" OF THIS ARTICLE SHALL NOT BE CONSTRUED OR APPLIED AS PREEMPTED OR SUPERSEDED BY ANY PROVISION IN THE PARTICULAR SUBTITLE OF THIS ARTICLE, UNLESS (1) THE SUBTITLE OF THIS ARTICLE STATES A SPECIFIC INTENT TO PRE-EMPT OR SUPERSEDE THE LOCAL LAW, ORDINANCE, OR RESOLUTION; OR (2) THE LOCAL LAW, ORDINANCE, OR RESOLUTION CONTAINS PENALTIES, PROVISIONS, OR AP-