
SENATE BILL 6167

State of Washington 52nd Legislature 1992 Regular Session
By Senators Murray, Nelson, A. Smith, Rasmussen, Niemi, Madsen,
Sutherland, Rinehart, Gaspard and Pelz

Read first time 01/20/92. Referred to Committee on Law & Justice.

1 AN ACT Relating to civil actions for violations of the law against
2 discrimination; amending RCW 49.60.030; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The intent of this act is to clarify
5 that individuals have a private right of action against all employers
6 who engage in unfair practices prohibited by this chapter.

7 **Sec. 2.** RCW 49.60.030 and 1984 c 32 s 2 are each amended to read
8 as follows:

9 (1) The right to be free from discrimination because of race,
10 creed, color, national origin, sex, or the presence of any sensory,
11 mental, or physical handicap is recognized as and declared to be a
12 civil right. This right shall include, but not be limited to:

13 (a) The right to obtain and hold employment without discrimination;

1 (b) The right to the full enjoyment of any of the accommodations,
2 advantages, facilities, or privileges of any place of public resort,
3 accommodation, assemblage, or amusement;

4 (c) The right to engage in real estate transactions without
5 discrimination;

6 (d) The right to engage in credit transactions without
7 discrimination;

8 (e) The right to engage in insurance transactions or transactions
9 with health maintenance organizations without discrimination:
10 PROVIDED, That a practice which is not unlawful under RCW 48.30.300,
11 48.44.220, or 48.46.370 does not constitute an unfair practice for the
12 purposes of this ~~((subparagraph))~~ subsection (1)(e); and

13 (f) The right to engage in commerce free from any discriminatory
14 boycotts or blacklists. Discriminatory boycotts or blacklists for
15 purposes of this section shall be defined as the formation or execution
16 of any express or implied agreement, understanding, policy or
17 contractual arrangement for economic benefit between any persons which
18 is not specifically authorized by the laws of the United States and
19 which is required or imposed, either directly or indirectly, overtly or
20 covertly, by a foreign government or foreign person in order to
21 restrict, condition, prohibit, or interfere with or in order to exclude
22 any person or persons from any business relationship on the basis of
23 race, color, creed, religion, sex, national origin or lawful business
24 relationship: PROVIDED HOWEVER, That nothing herein contained shall
25 prohibit the use of boycotts as authorized by law pertaining to labor
26 disputes and unfair labor practices.

27 (2) Any person deeming himself or herself injured by any act in
28 violation of this chapter shall have a civil action in a court of
29 competent jurisdiction to enjoin further violations, to recover the
30 actual damages sustained by him or her, or both, together with the cost

1 of suit including a reasonable attorney's fees or any other remedy
2 authorized by this chapter or the United States Civil Rights Act of
3 1964. For the purposes of this section, the term "employment" as used
4 in subsection (1)(a) of this section includes any person acting in the
5 interest of an employer, directly or indirectly, who employs one or
6 more persons; and

7 (3) Notwithstanding any other provisions of this chapter, any act
8 prohibited by this chapter related to sex discrimination or
9 discriminatory boycotts or blacklists which is committed in the course
10 of trade or commerce in the state of Washington as defined in the
11 Consumer Protection Act, chapter 19.86 RCW, shall be deemed an unfair
12 practice within the meaning of RCW 19.86.020 and 19.86.030 and subject
13 to all the provisions of chapter 19.86 RCW as now or hereafter amended.