

Judiciary Committee

HB 1524

Title: *An act relating to the jurisdiction of the Washington human rights commission.*

Brief Description: *Expanding the jurisdiction of the human rights commission.*

Sponsors: *Representatives Murray, McDermott, Keiser, Santos, Darneille, Romero, Ruderman, Dickerson, McIntire and Poulsen; by request of Governor Locke.*

Brief Summary of Bill

- *Amends the law against discrimination to prohibit discrimination based on a person's sexual orientation.*
- *Increases the amount that may be awarded for humiliation and mental suffering caused by a discriminatory practice from \$10,000 to \$35,000.*
- *Authorizes the Human Rights Commission to charge fees to participants to cover the costs of educational programs, seminars, and training.*

Hearing Date: *2/8/01*

Staff: *Edie Adams (786-7180).*

Background:

The state's law against discrimination provides that every person has a right to be free from discrimination based on race, color, creed, national origin, sex, or the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal. This right applies to employment, public accommodations, real estate transactions, credit transactions, insurance, and commerce. Additionally, discrimination on the basis of age or marital status is prohibited in some circumstances.

The Human Rights Commission is responsible for administering and enforcing the state's law against discrimination. The commission receives and investigates complaints by persons alleging unfair (discriminatory) practices. If the commission finds that there is

reasonable cause to believe discrimination has occurred, the commission must try to eliminate the unfair practice through a process of conference and conciliation. If this process fails, the commission must appoint an administrative law judge to hear the complaint through a formal hearing process.

If an administrative law judge finds that an unfair practice occurred, the judge may order the discriminating party to cease and desist from the unfair practice, require affirmative action, and award damages. Damages for humiliation and mental suffering are limited to \$10,000. The order of the administrative law judge may be appealed to the superior court.

One of the functions and duties of the commission is to foster good relations between minority and majority groups through seminars, conferences, and educational programs. The commission provides a number of free training and educational seminars throughout the state.

A provision of the insurance code prohibits a person in the insurance business from refusing to issue or renew an insurance contract or canceling an insurance contract because of the insured's sex or marital status, or the presence of any sensory, mental, or physical handicap.

Summary of Bill:

The law against discrimination is amended to prohibit discrimination based on a person's sexual orientation. "Sexual orientation" is defined as actual or perceived heterosexuality, homosexuality, bisexuality and gender expression or identity. The law against discrimination may not be construed to endorse any specific belief, practice, behavior, or orientation, or require an employer to establish employment goals or quotas.

The Human Rights Commission may charge fees to participants to cover the costs of seminars, conferences, and educational programs provided by the commission.

The limitation of \$10,000 that an administrative law judge may award for humiliation and mental suffering that results from an unfair practice is increased to \$35,000.

The provision of the insurance code that prohibits a person in the insurance business from refusing to issue or renew an insurance contract or canceling an insurance contract because of the insured's sex or marital status, or the presence of any handicap, is amended to include sexual orientation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.