

# SENATE BILL REPORT

## SB 5917

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As of March 4, 2005

**Title:** An act relating to discrimination based on lawful source of income.

**Brief Description:** Prohibiting discrimination based on lawful source of income.

**Sponsors:** Senators Fairley, Kline and Kohl-Welles.

**Brief History:**

**Committee Activity:** Financial Institutions, Housing & Consumer Protection: 2/22/05.

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### SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

**Staff:** Joyce Ahlering (360-786-7486)

**Background:** The state Law Against Discrimination states that a person has the right to be free from discrimination based on race, creed, color, national origin, sex, marital or family status, age, a disability, or the use of a trained dog guide. These civil rights apply to employment, public accommodations, real estate transactions, credit and insurance transactions, and commerce.

Concerns have been raised that some state citizens have had problems getting housing based on their low income or unemployment.

**Summary of Bill:** The Law Against Discrimination is amended to prohibit discrimination based on lawful source of income. "Lawful source of income" is defined as "verifiable legal income, including income derived from employment, social security, supplemental security income, other retirement programs, child support, alimony, and any federal, state, local, or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs."

The freedom from discrimination based on lawful source of income applies to real estate transactions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** Low income tenants and tenants receiving Section 8 assistance often pay apartment rental application fees and are denied based on their income or lack of income. Several counties already enforce rules against housing discrimination due to Section 8 assistance, and the state should follow suit.

**Testimony Against:** This bill conflicts with federal law because it requires landlords to accept tenants who receive Section 8 housing assistance, but Section 8 is a program that allows landlords to accept tenants on a voluntary basis. Furthermore, because source of income is not a protected class under federal discrimination laws, this bill could jeopardize federal funds coming to the state.

**Who Testified:** PRO: Pat Tassoni, Thurston County Tenant's Union.

CON: John Woodring, Rental Housing Association of Puget Sound; Darlene Pennock, Washington Association of Apartments.