
**State Government & Tribal
Affairs Committee**

SB 5123

Brief Description: Protecting persons with veteran or military status from discrimination.

Sponsors: Senators Hobbs, Kilmer, Roach, Jacobsen, Shin, Fairley, Marr, Prentice, Carrell, Murray, Rasmussen, Keiser, Berkey, Haugen, Franklin, Hatfield, Eide, Kauffman, Fraser and McAuliffe.

Brief Summary of Bill

- Expands the jurisdiction of the Human Rights Commission to include "honorably discharged veteran or military status" as a basis for prohibiting discrimination.
- Adds definitions for "honorably discharged veteran or military status" to Washington's Law Against Discrimination (WLAD).
- Replaces "disabled person" with "person with a disability" throughout the WLAD.

Hearing Date: 3/20/07

Staff: Alison Hellberg (786-7152).

Background:

Washington's Law Against Discrimination establishes that it is a civil right to be free from discrimination based on race, color, creed, national origin, sex, sexual orientation, age, 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; places of public resort, accommodation, assemblage, or amusement; real estate, credit, and insurance transactions. To effectuate the right to be free from discrimination, the law defines certain practices as being unfair.

The Washington State Human Rights Commission (WSHRC) is responsible, in part, for administering and enforcing the WLAD. The WSHRC receives and investigates complaints made by persons alleging unfair practices in violation of the WLAD. If the WSHRC finds that there is

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

reasonable cause to believe that discrimination has occurred, it must first try to eliminate the unfair practice via conference and conciliation. If this process fails, the WSHRC must refer the matter to an administrative law judge who may, after a hearing on the matter, issue an order providing relief to the complainant.

Summary of Bill:

Washington's Law Against Discrimination (WLAD) is expanded to prohibit discrimination based on a person's honorably discharged veteran or military status. "Honorably discharged veteran or military status" means a person who is a veteran or an active or reserve member in any branch of the Armed Forces of the United States, including the National Guard, Coast Guard, and Armed Forces Reserves. "Veteran" is a person who has received an honorable discharge or a discharge for medical reasons with an honorable record and who has served in at least one of the following capacities:

- as a member in any branch of the armed forces of the United States;
- as a member of the women's air forces service pilots;
- as a member of the Armed Forces Reserves, National Guard, or Coast Guard, and has been called into federal service by a presidential select reserve call up for at least 180 cumulative days;
- As a civil service crew member with service aboard a U.S. Army transport service or U.S. naval transportation service vessel in oceangoing service from December 7, 1941 through December 31, 1946.
- As a member of the Philippine Armed Forces/Scouts during the period of armed conflict from December 7, 1941 through August 15, 1945; or
- A United States documented Merchant Mariner with service aboard an oceangoing vessel operated by the Department of Defense from both June 25, 1950 through July 27, 1953 in Korean territorial waters and from August 5, 1964 through May 7, 1975 in Vietnam territorial waters, and who received a military commendation.

The jurisdiction of the Human Rights Commission is expanded to include "honorably discharged veteran or military status" as a basis for prohibiting discrimination.

The term "disabled person" is replaced with "person with a disability" throughout the WLAD.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.