

# SENATE BILL REPORT

## SB 5123

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As Passed Senate, March 10, 2007

**Title:** An act relating to protecting persons with veteran or military status from discrimination.

**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 History:**

**Committee Activity:** Government Operations & Elections: 1/23/07 [DPS].  
Passed Senate: 3/10/07, 48-0.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 5123 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline, Pridemore and Swecker.

**Staff:** Amy Van Horn (786-7784)

**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, or sexual orientation; 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, or amusement; commerce; and real estate, credit, and insurance transactions.

To effectuate the right to be free from discrimination, the law defines certain practices as being unfair. For example, it is deemed to be an unfair practice to fire or to refuse to hire a person based on age, sex, race, creed, color, national origin, marital status, sexual orientation, the presence of any sensory or physical disability, or the use of a trained dog guide or service animal.

There are some exceptions to the Law Against Discrimination. For example, in the employment context, employers with fewer than eight employees and non-profit religious or sectarian organizations are exempt from these laws.

The Washington State Human Rights Commission (WSHRC) is responsible, in part, for administering and enforcing the Law Against Discrimination. WSHRC receives and

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investigates complaints made by persons alleging unfair practices in violation of this law. If WSHRC finds that there is reasonable cause to believe that discrimination has occurred, it must first try to eliminate the unfair practice through conference and conciliation. If this process fails, 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:** The Washington Law Against Discrimination is amended to prohibit discrimination based on a person's status as a veteran or member of the military, as it relates to employment; commerce; real estate transactions; places of public resort, accommodation, or amusement; insurance transactions; and credit transactions.

"Veteran or military status" is defined to include any honorably discharged veteran as defined in RCW 41.04.007, and any active or reserve member in any branch of the armed forces of the United States, including the National Guard and the Coast Guard.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony:** PRO: When people return from military duty and try to resume employment at home, sometimes their service to their country is held against them. Employers ask returning service members inappropriate questions, such as whether they will have psychological problems as a result of their military service, or whether they will be able to work with people who oppose the war. Our veterans should be celebrated and valued for the sacrifices they make for our country, not denigrated. This law will offer veterans protection from such discrimination.

**Persons Testifying:** PRO: Senator Steve Hobbs, prime sponsor; Bob Gee, Tacoma/Pierce County Chamber of Commerce; Mike Partridge, Veterans Legislative Coalition; Skip Dreps, Paralyzed Veterans of America.