
HOUSE BILL 2264

State of Washington

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By Representatives Inslee, Wineberry, Prentice, Locke, Cantwell, Winsley, Franklin, Rust, G. Cole, Belcher, Leonard, Ogden, Dellwo, Appelwick, Morris and Anderson

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1 AN ACT Relating to lowering the legal limits of the size of an
2 employer for violations of the freedom from discrimination statute; and
3 reenacting and amending RCW 49.60.040.

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

5 **Sec. 1.** RCW 49.60.040 and 1985 c 203 s 2 and 1985 c 185 s 2 are
6 each reenacted and amended to read as follows:

7 As used in this chapter:

8 "Person" includes one or more individuals, partnerships,
9 associations, organizations, corporations, cooperatives, legal
10 representatives, trustees and receivers, or any group of persons; it
11 includes any owner, lessee, proprietor, manager, agent, or employee,
12 whether one or more natural persons; and further includes any political
13 or civil subdivisions of the state and any agency or instrumentality of
14 the state or of any political or civil subdivision thereof;

1 "Commission" means the Washington state human rights commission;

2 "Employer" includes any person acting in the interest of an
3 employer, directly or indirectly, who employs (~~eight~~) one or more
4 persons, and does not include any religious or sectarian organization
5 not organized for private profit;

6 "Employee" does not include any individual employed by his or her
7 parents, spouse, or child, or in the domestic service of any person;

8 "Labor organization" includes any organization which exists for the
9 purpose, in whole or in part, of dealing with employers concerning
10 grievances or terms or conditions of employment, or for other mutual
11 aid or protection in connection with employment;

12 "Employment agency" includes any person undertaking with or without
13 compensation to recruit, procure, refer, or place employees for an
14 employer;

15 "National origin" includes "ancestry";

16 "Full enjoyment of" includes the right to purchase any service,
17 commodity, or article of personal property offered or sold on, or by,
18 any establishment to the public, and the admission of any person to
19 accommodations, advantages, facilities, or privileges of any place of
20 public resort, accommodation, assemblage, or amusement, without acts
21 directly or indirectly causing persons of any particular race, creed,
22 color, sex, or with any sensory, mental, or physical handicap, or a
23 blind or deaf person using a trained dog guide, to be treated as not
24 welcome, accepted, desired, or solicited;

25 "Any place of public resort, accommodation, assemblage, or
26 amusement" includes, but is not limited to, any place, licensed or
27 unlicensed, kept for gain, hire, or reward, or where charges are made
28 for admission, service, occupancy, or use of any property or
29 facilities, whether conducted for the entertainment, housing, or
30 lodging of transient guests, or for the benefit, use, or accommodation

1 of those seeking health, recreation, or rest, or for the burial or
2 other disposition of human remains, or for the sale of goods,
3 merchandise, services, or personal property, or for the rendering of
4 personal services, or for public conveyance or transportation on land,
5 water, or in the air, including the stations and terminals thereof and
6 the garaging of vehicles, or where food or beverages of any kind are
7 sold for consumption on the premises, or where public amusement,
8 entertainment, sports, or recreation of any kind is offered with or
9 without charge, or where medical service or care is made available, or
10 where the public gathers, congregates, or assembles for amusement,
11 recreation, or public purposes, or public halls, public elevators, and
12 public washrooms of buildings and structures occupied by two or more
13 tenants, or by the owner and one or more tenants, or any public library
14 or educational institution, or schools of special instruction, or
15 nursery schools, or day care centers or children's camps: PROVIDED,
16 That nothing contained in this definition shall be construed to include
17 or apply to any institute, bona fide club, or place of accommodation,
18 which is by its nature distinctly private, including fraternal
19 organizations, though where public use is permitted that use shall be
20 covered by this chapter; nor shall anything contained in this
21 definition apply to any educational facility, columbarium, crematory,
22 mausoleum, or cemetery operated or maintained by a bona fide religious
23 or sectarian institution;

24 "Real property" includes buildings, structures, real estate, lands,
25 tenements, leaseholds, interests in real estate cooperatives,
26 condominiums, and hereditaments, corporeal and incorporeal, or any
27 interest therein;

28 "Real estate transaction" includes the sale, exchange, purchase,
29 rental, or lease of real property;

30 "Sex" means gender.

1 "Credit transaction" includes any open or closed end credit
2 transaction, whether in the nature of a loan, retail installment
3 transaction, credit card issue or charge, or otherwise, and whether for
4 personal or for business purposes, in which a service, finance, or
5 interest charge is imposed, or which provides for repayment in
6 scheduled payments, when such credit is extended in the regular course
7 of any trade or commerce, including but not limited to transactions by
8 banks, savings and loan associations or other financial lending
9 institutions of whatever nature, stock brokers, or by a merchant or
10 mercantile establishment which as part of its ordinary business permits
11 or provides that payment for purchases of property or service therefrom
12 may be deferred.