

SENATE BILL REPORT

SB 5771

As of February 22, 2001

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

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

Sponsors: Senators Thibaudeau, Prentice, Kohl-Welles, Regala, Franklin, Jacobsen, Kline, Patterson, Constantine, Fraser, Costa, B. Sheldon and Shin; by request of Governor Locke.

Brief History:

Committee Activity: Judiciary: 2/27/01.

SENATE COMMITTEE ON JUDICIARY

Staff: Aldo Melchiori (786-7439)

Background: Washington's law against discrimination prohibits discrimination based on race, creed, color, national origin, families with children, sex, marital status, age, or disability. Discriminatory practices are prohibited in the areas of employment, commerce, labor union membership, credit transactions, insurance transactions, access to public places, and real property transactions.

The Human Rights Commission enforces the state law against discrimination. When a complaint is filed with the commission, the commission is required to investigate and determine whether there is reasonable cause to believe that an unfair practice has occurred. If so, the commission is required to attempt to eliminate the unfair practice by conciliation. If a conciliation agreement cannot be reached, an administrative law judge is assigned to hear and rule on the case. Local governments may enact antidiscrimination ordinances that provide broader coverage than the state's antidiscrimination law. For example, Seattle and King County ordinances prohibit discrimination based on sexual orientation.

Summary of Bill: Discrimination based on sexual orientation is added to the coverage of the state's law against discrimination. "Sexual orientation" is defined to include actual or perceived heterosexuality, homosexuality, bisexuality, and gender expression or identity. Discrimination based on sexual orientation is prohibited in employment, commerce, labor union membership, credit transactions, insurance transactions, access to public places, and real estate transactions. The act must not be construed, on any basis, to require employment goals or quotas. Damages for humiliation and mental suffering awarded, after a finding of an unfair practice by an administrative law judge, are increased from \$10,000 to \$35,000. Fees for seminars, conferences, and educational programs conducted to foster good relations between minority and majority population groups conducted by the commission may not exceed an amount necessary to cover costs.

Appropriation: None.

Fiscal Note: Not requested.

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