

# FINAL BILL REPORT

## SB 5748

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C 259 L 95

Synopsis as Enacted

**Brief Description:** Expanding the state law against discrimination.

**Sponsors:** Senators Prentice, Fraser, Sellar, Rinehart, Prince, Smith, C. Anderson, Franklin, Kohl, Heavey, Pelz and Wojahn; by request of Human Rights Commission.

### Senate Committee on Financial Institutions & Housing

**Background:** The federal Fair Housing Act allows states to assume primary enforcement responsibility of the act if the state enacts fair housing laws that offer at least as much protection against discrimination as the federal act.

The Washington law against discrimination meets that standard generally, and the state Human Rights Commission has the responsibility for enforcing fair housing in Washington.

As amendments are made to the federal act, state law must keep pace if a state is to continue to have primary enforcement authority. Several amendments were made to the Washington law against discrimination in 1993 to reflect major amendments to the federal fair housing law that were made in 1988. These changes added prohibitions against discrimination on the basis of physical disability and the status of being a family with children. Additional amendments have been identified as being necessary to make state law consistent with federal law. Time periods for processing complaints under federal law differ slightly from the general schedule under the Washington law against discrimination.

**Summary:** The inadvertent omission of the phrase "families with children" from the intent section of the law is corrected. Additions are made to the definitions section to achieve consistency with federal law. The requirement to design and construct new buildings in conformance with the federal fair housing amendments is limited to "covered multifamily dwellings" and "premises."

An inaccurate reference to federal law is removed. The commission is given authority to adopt rules with respect to time requirements for processing unfair housing claims. These rules may not exceed or be more restrictive than federal law.

Exemptions from the provisions making it an unfair practice to refuse to allow a disabled person to make reasonable modifications to a dwelling or premises, or to refuse to make accommodations in rules or policies needed to allow a disabled person equal use and enjoyment of the dwelling are provided. These exemptions are: (1) the rental or lease of a single-family house by the owner, as long as the rental or lease occurred without the use of a broker and the owner has no more than three such single-family houses at one time; and (2) units in dwellings containing no more than four units if the owner maintains one of the units as his or her residence.

Other technical changes are made to achieve internal consistency and clarity.

**Votes on Final Passage:**

|        |    |   |                    |
|--------|----|---|--------------------|
| Senate | 46 | 0 |                    |
| House  | 95 | 0 | (House amended)    |
| Senate | 45 | 0 | (Senate concurred) |

**Effective:** July 1, 1995