

1 **2SHB 1445** - H AMDS **1063 ADOPTED 02/15/94**

2 By Representative Morris and others

3 On page 2, after line 17, insert the following:

4 "Sec. 2. RCW 49.60.030 and 1993 c 69 s 1 and 1993 c 510 s 3  
5 are each reenacted and amended to read as follows:

6 "(1) The right to be free from discrimination because of race,  
7 creed, color, national origin, sex, or the presence of any sensory,  
8 mental, or physical disability or the use of a trained guide dog or  
9 service dog by a disabled person is recognized as and declared to  
10 be a civil right. This right shall include, but not be limited to:

11 (a) The right to obtain and hold employment without  
12 discrimination;

13 (b) The right to the full enjoyment of any of the  
14 accommodations, advantages, facilities, or privileges of any place  
15 of public resort, accommodation, assemblage, or amusement;

16 (c) The right to engage in real estate transactions without  
17 discrimination, including discrimination against families with  
18 children;

19 (d) The right to engage in credit transactions without  
20 discrimination;

21 (e) The right to engage in insurance transactions or  
22 transactions with health maintenance organizations without  
23 discrimination: PROVIDED, That a practice which is not unlawful  
24 under RCW 48.30.300, 48.44.220, or 48.46.370 does not constitute an  
25 unfair practice for the purposes of this subparagraph; and

26 (f) The right to engage in commerce free from any  
27 discriminatory boycotts or blacklists. Discriminatory boycotts or  
28 blacklists for purposes of this section shall be defined as the  
29 formation or execution of any express or implied agreement,  
30 understanding, policy or contractual arrangement for economic  
31 benefit between any persons which is not specifically authorized by

1 the laws of the United States and which is required or imposed,  
2 either directly or indirectly, overtly or covertly, by a foreign  
3 government or foreign person in order to restrict, condition,  
4 prohibit, or interfere with or in order to exclude any person or  
5 persons from any business relationship on the basis of race, color,  
6 creed, religion, sex, the presence of any sensory, mental, or  
7 physical disability, or the use of a trained guide dog or service  
8 dog by a disabled person, or national origin or lawful business  
9 relationship: PROVIDED HOWEVER, That nothing herein contained  
10 shall prohibit the use of boycotts as authorized by law pertaining  
11 to labor disputes and unfair labor practices.

12 (2) Except as limited in this chapter, any person deeming  
13 himself or herself injured by any act in violation of this chapter  
14 shall have a civil action in a court of competent jurisdiction to  
15 enjoin further violations, or to recover the actual damages  
16 sustained by the person, or both, together with the cost of suit  
17 including reasonable attorneys' fees or any other appropriate  
18 remedy authorized by this chapter or the United States Civil Rights  
19 Act of 1964 as amended, or the federal fair housing amendments act  
20 of 1988 (42 U.S.C. Sec. 3601 et seq.)(~~and~~).

21 (3) Except for any unfair practice committed by an employer  
22 against an employee or a prospective employee, or any unfair  
23 practice in a real estate transaction which is the basis for relief  
24 specified in the amendments to RCW 49.60.225 contained in chapter  
25 69, Laws of 1993, any unfair practice prohibited by this chapter  
26 which is committed in the course of trade or commerce as defined in  
27 the Consumer Protection Act, chapter 19.86 RCW, is, for the purpose  
28 of applying that chapter, a matter affecting the public interest,  
29 is not reasonable in relation to the development and preservation  
30 of business, and is an unfair or deceptive act in trade or  
31 commerce."

1           On page 2, line 30, after "includes" insert ", for purposes of  
2 the jurisdiction of the Washington state human rights commission,"

3           On page 2, line 37, after "activities" insert ". "Employer"  
4 shall continue to include, for purposes of a civil action based on  
5 a violation of this chapter, any person acting in the interest of  
6 an employer, directly or indirectly, who employs eight or more  
7 persons, and does not include any religious corporation,  
8 association, educational institution, or society with respect to  
9 the employment of individuals of a particular religion to perform  
10 work connected with the carrying on by such corporation,  
11 association, educational institution, or society of its activities"

EFFECT: Provides that the eight employee threshold applies to a civil cause of action, but the threshold level is decreased to one employee for jurisdiction of the Human Rights Commission. The amendment also merges a double amendment.