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SENATE BILL 6135

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State of Washington                      56th Legislature                      2000 Regular Session

By Senators Fairley, Wojahn, Thibaudeau and Kline

Read first time 01/10/2000. Referred to Committee on Judiciary.

1            AN ACT Relating to golf and country clubs; and amending RCW  
2 49.60.040.

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

4            **Sec. 1.** RCW 49.60.040 and 1997 c 271 s 3 are each amended to read  
5 as follows:

6            As used in this chapter:

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

14            (2) "Commission" means the Washington state human rights  
15 commission;

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

1 (4) "Employee" does not include any individual employed by his or  
2 her parents, spouse, or child, or in the domestic service of any  
3 person;

4 (5) "Labor organization" includes any organization which exists for  
5 the purpose, in whole or in part, of dealing with employers concerning  
6 grievances or terms or conditions of employment, or for other mutual  
7 aid or protection in connection with employment;

8 (6) "Employment agency" includes any person undertaking with or  
9 without compensation to recruit, procure, refer, or place employees for  
10 an employer;

11 (7) "Marital status" means the legal status of being married,  
12 single, separated, divorced, or widowed;

13 (8) "National origin" includes "ancestry";

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

24 (10)(a) "Any place of public resort, accommodation, assemblage, or  
25 amusement" includes, but is not limited to, any place, licensed or  
26 unlicensed, kept for gain, hire, or reward, or where charges are made  
27 for admission, service, occupancy, or use of any property or  
28 facilities, whether conducted for the entertainment, housing, or  
29 lodging of transient guests, or for the benefit, use, or accommodation  
30 of those seeking health, recreation, or rest, or for the burial or  
31 other disposition of human remains, or for the sale of goods,  
32 merchandise, services, or personal property, or for the rendering of  
33 personal services, or for public conveyance or transportation on land,  
34 water, or in the air, including the stations and terminals thereof and  
35 the garaging of vehicles, or where food or beverages of any kind are  
36 sold for consumption on the premises, or where public amusement,  
37 entertainment, sports, or recreation of any kind is offered with or  
38 without charge including golf and/or country clubs whether public or  
39 private, or where medical service or care is made available, or where

1 the public gathers, congregates, or assembles for amusement,  
2 recreation, or public purposes, or public halls, public elevators, and  
3 public washrooms of buildings and structures occupied by two or more  
4 tenants, or by the owner and one or more tenants, or any public library  
5 or educational institution, or schools of special instruction, or  
6 nursery schools, or day care centers or children's camps(~~(:—PROVIDED,~~  
7 ~~That))i~~);

8 (b) Nothing contained in this ((definition)) subsection shall be  
9 construed to include or apply to any institute, bona fide club other  
10 than a golf and/or country club, or place of accommodation, which is by  
11 its nature distinctly private, including fraternal organizations,  
12 though where public use is permitted that use shall be covered by this  
13 chapter; nor shall anything contained in this definition apply to any  
14 educational facility, columbarium, crematory, mausoleum, or cemetery  
15 operated or maintained by a bona fide religious or sectarian  
16 institution;

17 (11) "Real property" includes buildings, structures, dwellings,  
18 real estate, lands, tenements, leaseholds, interests in real estate  
19 cooperatives, condominiums, and hereditaments, corporeal and  
20 incorporeal, or any interest therein;

21 (12) "Real estate transaction" includes the sale, appraisal,  
22 brokering, exchange, purchase, rental, or lease of real property,  
23 transacting or applying for a real estate loan, or the provision of  
24 brokerage services;

25 (13) "Dwelling" means any building, structure, or portion thereof  
26 that is occupied as, or designed or intended for occupancy as, a  
27 residence by one or more families, and any vacant land that is offered  
28 for sale or lease for the construction or location thereon of any such  
29 building, structure, or portion thereof;

30 (14) "Sex" means gender;

31 (15) "Aggrieved person" means any person who: (a) Claims to have  
32 been injured by an unfair practice in a real estate transaction; or (b)  
33 believes that he or she will be injured by an unfair practice in a real  
34 estate transaction that is about to occur;

35 (16) "Complainant" means the person who files a complaint in a real  
36 estate transaction;

37 (17) "Respondent" means any person accused in a complaint or  
38 amended complaint of an unfair practice in a real estate transaction;

1       (18) "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;

13       (19) "Families with children status" means one or more individuals  
14 who have not attained the age of eighteen years being domiciled with a  
15 parent or another person having legal custody of such individual or  
16 individuals, or with the designee of such parent or other person having  
17 such legal custody, with the written permission of such parent or other  
18 person. Families with children status also applies to any person who  
19 is pregnant or is in the process of securing legal custody of any  
20 individual who has not attained the age of eighteen years;

21       (20) "Covered multifamily dwelling" means:       (a) Buildings  
22 consisting of four or more dwelling units if such buildings have one or  
23 more elevators; and (b) ground floor dwelling units in other buildings  
24 consisting of four or more dwelling units;

25       (21) "Premises" means the interior or exterior spaces, parts,  
26 components, or elements of a building, including individual dwelling  
27 units and the public and common use areas of a building;

28       (22) "Dog guide" means a dog that is trained for the purpose of  
29 guiding blind persons or a dog that is trained for the purpose of  
30 assisting hearing impaired persons;

31       (23) "Service animal" means an animal that is trained for the  
32 purpose of assisting or accommodating a disabled person's sensory,  
33 mental, or physical disability.

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