
State Government Committee

HB 1809

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

Sponsors: Representatives Murray, Hankins, Grant, Mastin, McDermott, Jarrett, Linville, Upthegrove, Quall, Moeller, Tom, Kessler, Lovick, Hunter, Schual-Berke, Ruderman, Dickerson, Santos, Hudgins, Haigh, Hunt, Pettigrew, Rockefeller, Simpson, Cody and Kenney; by request of Governor Locke.

Brief Summary of Bill

- Amends the law against discrimination to prohibit discrimination based on a person's sexual orientation.
- Authorizes the Human Rights Commission to charge fees to participants to cover the costs of educational programs, seminars, and training.
- Defines "sexual orientation" and "creed".

Hearing Date: 2/25/03

Staff: Anne Warwick (786-7291) and Katie Blinn (786-7114).

Background:

In addition to federal civil rights protections, the state's laws against discrimination provide that every person has a right to: be free based on race, color, creed, national origin, sex, or the presence of any sensory, mental, or physical disability; or the use of a trained dog guide or service animal. This right applies to employment, public accommodations, real estate transactions, credit transactions, insurance, and commerce. Additionally, discrimination on the basis of age or marital status is prohibited in some circumstances. Currently thirteen states prohibit employment discrimination based on sexual orientation. The following nine Washington municipalities have civil rights ordinances, policies or proclamations prohibiting discrimination based on sexual orientation: Clallam County; Clark County; King County; Olympia; Pullman; Seattle; Spokane; Tumwater; and Vancouver.

The Human Rights Commission (Commission) is responsible for administering and enforcing the state's law against discrimination. The Commission receives and investigates complaints

by persons alleging unfair (discriminatory) practices. If the Commission finds that there is reasonable cause to believe discrimination has occurred, the Commission must try to eliminate the unfair practice through a process of conference and conciliation. If this process fails, the Commission must appoint an administrative law judge to hear the complaint through a formal process. One of the functions and duties of the Commission is to foster good relations between minority and majority groups through seminars, conferences, and educational programs. The Commission provides a number of free training and educational seminars throughout the state.

A provision of the insurance code prohibits a person in the insurance business from refusing to issue or renew an insurance contract or canceling an insurance contract because of the insured's sex or marital status, or the presence of any sensory, mental or physical handicap.

Summary of Bill:

The law against discrimination is amended to prohibit discrimination on a person's sexual orientation. The definition section is amended to include both sexual orientation and creed. "Sexual orientation" is defined as actual or perceived heterosexuality, homosexuality, bisexuality and gender expression or identity. "Creed" is defined as a system of religious beliefs and religious expressions, including moral and ethical beliefs and expressions about right and wrong that are sincerely held with the strength of traditional religious views. The Commission may charge fees to participants to cover the costs of seminars, conferences, and educational programs provided by the Commission. The provision of the insurance code that prohibits a person in the insurance business from refusing to issue or renew an insurance contract or canceling an insurance contract because of the insured's sex or marital status, or the presence of any handicap, is amended to include sexual orientation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.