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**HOUSE BILL 1335**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Richards, Reeves, Leavitt, McEntire, Shavers, Abell, Springer, Ormsby, Macri, Reed, Hill, Doglio, Caldier, Paul, and Nance

Read first time 01/16/25. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to protecting military spouses from employment  
2 discrimination; and amending RCW 49.60.010, 49.60.020, 49.60.030,  
3 49.60.040, 49.60.180, 49.60.190, and 49.60.200.

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

5 **Sec. 1.** RCW 49.60.010 and 2020 c 52 s 1 are each amended to read  
6 as follows:

7 This chapter shall be known as the "law against discrimination."  
8 It is an exercise of the police power of the state for the protection  
9 of the public welfare, health, and peace of the people of this state,  
10 and in fulfillment of the provisions of the Constitution of this  
11 state concerning civil rights. The legislature hereby finds and  
12 declares that practices of discrimination against any of its  
13 inhabitants because of race, creed, color, national origin,  
14 citizenship or immigration status, families with children, sex,  
15 marital status, military spouse status, sexual orientation, age,  
16 honorably discharged veteran or military status, or the presence of  
17 any sensory, mental, or physical disability or the use of a trained  
18 dog guide or service animal by a person with a disability are a  
19 matter of state concern, that such discrimination threatens not only  
20 the rights and proper privileges of its inhabitants but menaces the  
21 institutions and foundation of a free democratic state. A state

1 agency is herein created with powers with respect to elimination and  
2 prevention of discrimination in employment, in credit and insurance  
3 transactions, in places of public resort, accommodation, or  
4 amusement, and in real property transactions because of race, creed,  
5 color, national origin, citizenship or immigration status, families  
6 with children, sex, marital status, military spouse status, sexual  
7 orientation, age, honorably discharged veteran or military status, or  
8 the presence of any sensory, mental, or physical disability or the  
9 use of a trained dog guide or service animal by a person with a  
10 disability; and the commission established hereunder is hereby given  
11 general jurisdiction and power for such purposes.

12 **Sec. 2.** RCW 49.60.020 and 2020 c 52 s 2 are each amended to read  
13 as follows:

14 The provisions of this chapter shall be construed liberally for  
15 the accomplishment of the purposes thereof. Nothing contained in this  
16 chapter shall be deemed to repeal any of the provisions of any other  
17 law of this state relating to discrimination because of race, color,  
18 creed, national origin, citizenship or immigration status, sex,  
19 marital status, military spouse status, sexual orientation, age,  
20 honorably discharged veteran or military status, or the presence of  
21 any sensory, mental, or physical disability, other than a law which  
22 purports to require or permit doing any act which is an unfair  
23 practice under this chapter. The legislature intends to protect  
24 military spouses from discrimination in employment and labor  
25 practices. However, to the extent that distinction or differential  
26 treatment on the basis of citizenship or immigration status is  
27 authorized by federal or state law, regulation, or government  
28 contract, it is not an unfair practice. Nor shall anything herein  
29 contained be construed to deny the right to any person to institute  
30 any action or pursue any civil or criminal remedy based upon an  
31 alleged violation of his or her civil rights. This chapter shall not  
32 be construed to endorse any specific belief, practice, behavior, or  
33 orientation. Inclusion of sexual orientation in this chapter shall  
34 not be construed to modify or supersede state law relating to  
35 marriage.

36 **Sec. 3.** RCW 49.60.030 and 2020 c 52 s 4 are each amended to read  
37 as follows:

1 (1) The right to be free from discrimination because of race,  
2 creed, color, national origin, citizenship or immigration status,  
3 sex, honorably discharged veteran or military status, sexual  
4 orientation, or the presence of any sensory, mental, or physical  
5 disability or the use of a trained dog guide or service animal by a  
6 person with a disability is recognized as and declared to be a civil  
7 right. This right shall include, but not be limited to:

8 (a) The right to obtain and hold employment without  
9 discrimination;

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

13 (c) The right to engage in real estate transactions without  
14 discrimination, including discrimination against families with  
15 children;

16 (d) The right to engage in credit transactions without  
17 discrimination;

18 (e) The right to engage in insurance transactions or transactions  
19 with health maintenance organizations without discrimination:  
20 PROVIDED, That a practice which is not unlawful under RCW 48.30.300,  
21 48.44.220, or 48.46.370 does not constitute an unfair practice for  
22 the purposes of this (~~subparagraph~~) subsection (1)(e);

23 (f) The right to engage in commerce free from any discriminatory  
24 boycotts or blacklists. Discriminatory boycotts or blacklists for  
25 purposes of this section shall be defined as the formation or  
26 execution of any express or implied agreement, understanding, policy  
27 or contractual arrangement for economic benefit between any persons  
28 which is not specifically authorized by the laws of the United States  
29 and which is required or imposed, either directly or indirectly,  
30 overtly or covertly, by a foreign government or foreign person in  
31 order to restrict, condition, prohibit, or interfere with or in order  
32 to exclude any person or persons from any business relationship on  
33 the basis of race, color, creed, religion, sex, honorably discharged  
34 veteran or military status, sexual orientation, the presence of any  
35 sensory, mental, or physical disability, or the use of a trained dog  
36 guide or service animal by a person with a disability, or national  
37 origin, citizenship or immigration status, or lawful business  
38 relationship: PROVIDED HOWEVER, That nothing herein contained shall  
39 prohibit the use of boycotts as authorized by law pertaining to labor  
40 disputes and unfair labor practices; (~~and~~)

1 (g) The right of a mother to breastfeed her child in any place of  
2 public resort, accommodation, assemblage, or amusement; and

3 (h) The right of military spouses to obtain and hold employment  
4 without discrimination.

5 (2) Any person deeming himself or herself injured by any act in  
6 violation of this chapter shall have a civil action in a court of  
7 competent jurisdiction to enjoin further violations, or to recover  
8 the actual damages sustained by the person, or both, together with  
9 the cost of suit including reasonable attorneys' fees or any other  
10 appropriate remedy authorized by this chapter or the United States  
11 Civil Rights Act of 1964 as amended, or the Federal Fair Housing  
12 Amendments Act of 1988 (42 U.S.C. Sec. 3601 et seq.).

13 (3) Except for any unfair practice committed by an employer  
14 against an employee or a prospective employee, or any unfair practice  
15 in a real estate transaction which is the basis for relief specified  
16 in the amendments to RCW 49.60.225 contained in chapter 69, Laws of  
17 1993, any unfair practice prohibited by this chapter which is  
18 committed in the course of trade or commerce as defined in the  
19 Consumer Protection Act, chapter 19.86 RCW, is, for the purpose of  
20 applying that chapter, a matter affecting the public interest, is not  
21 reasonable in relation to the development and preservation of  
22 business, and is an unfair or deceptive act in trade or commerce.

23 **Sec. 4.** RCW 49.60.040 and 2024 c 161 s 1 are each amended to  
24 read as follows:

25 The definitions in this section apply throughout this chapter  
26 unless the context clearly requires otherwise.

27 (1) "Aggrieved person" means any person who: (a) Claims to have  
28 been injured by an unfair practice in a real estate transaction; or  
29 (b) believes that he or she will be injured by an unfair practice in  
30 a real estate transaction that is about to occur.

31 (2) "Any place of public resort, accommodation, assemblage, or  
32 amusement" includes, but is not limited to, any place, licensed or  
33 unlicensed, kept for gain, hire, or reward, or where charges are made  
34 for admission, service, occupancy, or use of any property or  
35 facilities, whether conducted for the entertainment, housing, or  
36 lodging of transient guests, or for the benefit, use, or  
37 accommodation of those seeking health, recreation, or rest, or for  
38 the burial or other disposition of human remains, or for the sale of  
39 goods, merchandise, services, or personal property, or for the

1 rendering of personal services, or for public conveyance or  
2 transportation on land, water, or in the air, including the stations  
3 and terminals thereof and the garaging of vehicles, or where food or  
4 beverages of any kind are sold for consumption on the premises, or  
5 where public amusement, entertainment, sports, or recreation of any  
6 kind is offered with or without charge, or where medical service or  
7 care is made available, or where the public gathers, congregates, or  
8 assembles for amusement, recreation, or public purposes, or public  
9 halls, public elevators, and public washrooms of buildings and  
10 structures occupied by two or more tenants, or by the owner and one  
11 or more tenants, or any public library or educational institution, or  
12 schools of special instruction, or nursery schools, or day care  
13 centers or children's camps: PROVIDED, That nothing contained in this  
14 definition shall be construed to include or apply to any institute,  
15 bona fide club, or place of accommodation, which is by its nature  
16 distinctly private, including fraternal organizations, though where  
17 public use is permitted that use shall be covered by this chapter;  
18 nor shall anything contained in this definition apply to any  
19 educational facility, columbarium, crematory, mausoleum, or cemetery  
20 operated or maintained by a bona fide religious or sectarian  
21 institution: PROVIDED FURTHER, That this definition, as it relates to  
22 "service animal trainers" and "service animal trainees" as those  
23 terms are defined in this section, shall not include those places of  
24 public accommodation conducted for housing or lodging of transient  
25 guests.

26 (3) "Commission" means the Washington state human rights  
27 commission.

28 (4) "Complainant" means the person who files a complaint in a  
29 real estate transaction.

30 (5) "Covered multifamily dwelling" means: (a) Buildings  
31 consisting of four or more dwelling units if such buildings have one  
32 or more elevators; and (b) ground floor dwelling units in other  
33 buildings consisting of four or more dwelling units.

34 (6) "Credit transaction" includes any open or closed end credit  
35 transaction, whether in the nature of a loan, retail installment  
36 transaction, credit card issue or charge, or otherwise, and whether  
37 for personal or for business purposes, in which a service, finance,  
38 or interest charge is imposed, or which provides for repayment in  
39 scheduled payments, when such credit is extended in the regular  
40 course of any trade or commerce, including but not limited to

1 transactions by banks, savings and loan associations or other  
2 financial lending institutions of whatever nature, stock brokers, or  
3 by a merchant or mercantile establishment which as part of its  
4 ordinary business permits or provides that payment for purchases of  
5 property or service therefrom may be deferred.

6 (7) (a) "Disability" means the presence of a sensory, mental, or  
7 physical impairment that:

8 (i) Is medically cognizable or diagnosable; or

9 (ii) Exists as a record or history; or

10 (iii) Is perceived to exist whether or not it exists in fact.

11 (b) A disability exists whether it is temporary or permanent,  
12 common or uncommon, mitigated or unmitigated, or whether or not it  
13 limits the ability to work generally or work at a particular job or  
14 whether or not it limits any other activity within the scope of this  
15 chapter.

16 (c) For purposes of this definition, "impairment" includes, but  
17 is not limited to:

18 (i) Any physiological disorder, or condition, cosmetic  
19 disfigurement, or anatomical loss affecting one or more of the  
20 following body systems: Neurological, musculoskeletal, special sense  
21 organs, respiratory, including speech organs, cardiovascular,  
22 reproductive, digestive, genitourinary, hemic and lymphatic, skin,  
23 and endocrine; or

24 (ii) Any mental, developmental, traumatic, or psychological  
25 disorder, including but not limited to cognitive limitation, organic  
26 brain syndrome, emotional or mental illness, and specific learning  
27 disabilities.

28 (d) Only for the purposes of qualifying for reasonable  
29 accommodation in employment, an impairment must be known or shown  
30 through an interactive process to exist in fact and:

31 (i) The impairment must have a substantially limiting effect upon  
32 the individual's ability to perform his or her job, the individual's  
33 ability to apply or be considered for a job, or the individual's  
34 access to equal benefits, privileges, or terms or conditions of  
35 employment; or

36 (ii) The employee must have put the employer on notice of the  
37 existence of an impairment, and medical documentation must establish  
38 a reasonable likelihood that engaging in job functions without an  
39 accommodation would aggravate the impairment to the extent that it  
40 would create a substantially limiting effect.

1 (e) For purposes of (d) of this subsection, a limitation is not  
2 substantial if it has only a trivial effect.

3 (8) "Dog guide" means a dog that is trained for the purpose of  
4 guiding blind persons or a dog that is trained for the purpose of  
5 assisting hearing impaired persons.

6 (9) "Dwelling" means any building, structure, or portion thereof  
7 that is occupied as, or designed or intended for occupancy as, a  
8 residence by one or more families, and any vacant land that is  
9 offered for sale or lease for the construction or location thereon of  
10 any such building, structure, or portion thereof.

11 (10) "Employee" does not include any individual employed by his  
12 or her parents, spouse, or child, or in the domestic service of any  
13 person.

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

18 (12) "Employment agency" includes any person undertaking with or  
19 without compensation to recruit, procure, refer, or place employees  
20 for an employer.

21 (13) "Families with children status" means one or more  
22 individuals who have not attained the age of eighteen years being  
23 domiciled with a parent or another person having legal custody of  
24 such individual or individuals, or with the designee of such parent  
25 or other person having such legal custody, with the written  
26 permission of such parent or other person. Families with children  
27 status also applies to any person who is pregnant or is in the  
28 process of securing legal custody of any individual who has not  
29 attained the age of eighteen years.

30 (14) "Full enjoyment of" includes the right to purchase any  
31 service, commodity, or article of personal property offered or sold  
32 on, or by, any establishment to the public, and the admission of any  
33 person to accommodations, advantages, facilities, or privileges of  
34 any place of public resort, accommodation, assemblage, or amusement,  
35 without acts directly or indirectly causing persons of any particular  
36 race, creed, color, sex, sexual orientation, national origin, or with  
37 any sensory, mental, or physical disability, or the use of a trained  
38 dog guide or service animal by a person with a disability, to be  
39 treated as not welcome, accepted, desired, or solicited.

1 (15) "Honorably discharged veteran or military status" means a  
2 person who is:

3 (a) A veteran, as defined in RCW 41.04.007; or

4 (b) An active or reserve member in any branch of the armed forces  
5 of the United States, including the national guard, coast guard, and  
6 armed forces reserves.

7 (16) "Labor organization" includes any organization which exists  
8 for the purpose, in whole or in part, of dealing with employers  
9 concerning grievances or terms or conditions of employment, or for  
10 other mutual aid or protection in connection with employment.

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

13 (18) "Military spouse status" means any person currently or  
14 previously married to a service member during the service member's  
15 time of active duty military service. "Service member" and "military  
16 service" have the same meaning as in RCW 38.42.010.

17 (19) "National origin" includes "ancestry."

18 ~~((19))~~ (20) "Person" includes one or more individuals,  
19 partnerships, associations, organizations, corporations,  
20 cooperatives, legal representatives, trustees and receivers, or any  
21 group of persons; it includes any owner, lessee, proprietor, manager,  
22 agent, or employee, whether one or more natural persons; and further  
23 includes any political or civil subdivisions of the state and any  
24 agency or instrumentality of the state or of any political or civil  
25 subdivision thereof.

26 ~~((20))~~ (21) "Premises" means the interior or exterior spaces,  
27 parts, components, or elements of a building, including individual  
28 dwelling units and the public and common use areas of a building.

29 ~~((21))~~ (22) "Race" is inclusive of traits historically  
30 associated or perceived to be associated with race including, but not  
31 limited to, hair texture and protective hairstyles. For purposes of  
32 this subsection, "protective hairstyles" includes, but is not limited  
33 to, such hairstyles as afros, braids, locks, and twists.

34 ~~((22))~~ (23) "Real estate transaction" includes the sale,  
35 appraisal, brokering, exchange, purchase, rental, or lease of real  
36 property, transacting or applying for a real estate loan, or the  
37 provision of brokerage services.

38 ~~((23))~~ (24) "Real property" includes buildings, structures,  
39 dwellings, real estate, lands, tenements, leaseholds, interests in

1 real estate cooperatives, condominiums, and hereditaments, corporeal  
2 and incorporeal, or any interest therein.

3 ~~((24))~~ (25) "Respondent" means any person accused in a  
4 complaint or amended complaint of an unfair practice in a real estate  
5 transaction.

6 ~~((25))~~ (26) "Service animal" means any dog or miniature horse  
7 that is individually trained to do work or perform tasks for the  
8 benefit of an individual with a disability, including a physical,  
9 sensory, psychiatric, intellectual, or other mental disability. The  
10 work or tasks performed by the service animal must be directly  
11 related to the individual's disability. Examples of work or tasks  
12 include, but are not limited to, assisting individuals who are blind  
13 or have low vision with navigation and other tasks, alerting  
14 individuals who are deaf or hard of hearing to the presence of people  
15 or sounds, providing nonviolent protection or rescue work, pulling a  
16 wheelchair, assisting an individual during a seizure, alerting  
17 individuals to the presence of allergens, retrieving items such as  
18 medicine or the telephone, providing physical support and assistance  
19 with balance and stability to individuals with mobility disabilities,  
20 and helping persons with psychiatric and neurological disabilities by  
21 preventing or interrupting impulsive or destructive behaviors. The  
22 crime deterrent effects of an animal's presence and the provision of  
23 emotional support, well-being, comfort, or companionship do not  
24 constitute work or tasks. This subsection does not apply to RCW  
25 49.60.222 through 49.60.227 with respect to housing accommodations or  
26 real estate transactions.

27 ~~((26))~~ (27) "Service animal trainee" means any dog or miniature  
28 horse that is undergoing training to become a service animal.

29 ~~((27))~~ (28) "Service animal trainer" means an individual  
30 exercising care, custody, and control over a service animal trainee  
31 during a course of training designed to develop the service animal  
32 trainee into a service animal.

33 ~~((28))~~ (29) "Sex" means gender.

34 ~~((29))~~ (30) "Sexual orientation" means heterosexuality,  
35 homosexuality, bisexuality, and gender expression or identity. As  
36 used in this definition, "gender expression or identity" means having  
37 or being perceived as having a gender identity, self-image,  
38 appearance, behavior, or expression, whether or not that gender  
39 identity, self-image, appearance, behavior, or expression is

1 different from that traditionally associated with the sex assigned to  
2 that person at birth.

3 **Sec. 5.** RCW 49.60.180 and 2020 c 52 s 10 are each amended to  
4 read as follows:

5 It is an unfair practice for any employer:

6 (1) To refuse to hire any person because of age, sex, marital  
7 status, military spouse status, sexual orientation, race, creed,  
8 color, national origin, citizenship or immigration status, honorably  
9 discharged veteran or military status, or the presence of any  
10 sensory, mental, or physical disability or the use of a trained dog  
11 guide or service animal by a person with a disability, unless based  
12 upon a bona fide occupational qualification: PROVIDED, That the  
13 prohibition against discrimination because of such disability shall  
14 not apply if the particular disability prevents the proper  
15 performance of the particular worker involved: PROVIDED, That this  
16 section shall not be construed to require an employer to establish  
17 employment goals or quotas based on sexual orientation.

18 (2) To discharge or bar any person from employment because of  
19 age, sex, marital status, military spouse status, sexual orientation,  
20 race, creed, color, national origin, citizenship or immigration  
21 status, honorably discharged veteran or military status, or the  
22 presence of any sensory, mental, or physical disability or the use of  
23 a trained dog guide or service animal by a person with a disability.

24 (3) To discriminate against any person in compensation or in  
25 other terms or conditions of employment because of age, sex, marital  
26 status, military spouse status, sexual orientation, race, creed,  
27 color, national origin, citizenship or immigration status, honorably  
28 discharged veteran or military status, or the presence of any  
29 sensory, mental, or physical disability or the use of a trained dog  
30 guide or service animal by a person with a disability: PROVIDED, That  
31 it shall not be an unfair practice for an employer to segregate  
32 washrooms or locker facilities on the basis of sex, or to base other  
33 terms and conditions of employment on the sex of employees where the  
34 commission by regulation or ruling in a particular instance has found  
35 the employment practice to be appropriate for the practical  
36 realization of equality of opportunity between the sexes.

37 (4) To print, or circulate, or cause to be printed or circulated  
38 any statement, advertisement, or publication, or to use any form of  
39 application for employment, or to make any inquiry in connection with

1 prospective employment, which expresses any limitation,  
2 specification, or discrimination as to age, sex, marital status,  
3 military spouse status, sexual orientation, race, creed, color,  
4 national origin, citizenship or immigration status, honorably  
5 discharged veteran or military status, or the presence of any  
6 sensory, mental, or physical disability or the use of a trained dog  
7 guide or service animal by a person with a disability, or any intent  
8 to make any such limitation, specification, or discrimination, unless  
9 based upon a bona fide occupational qualification: PROVIDED, Nothing  
10 contained herein shall prohibit advertising in a foreign language.

11 **Sec. 6.** RCW 49.60.190 and 2020 c 52 s 11 are each amended to  
12 read as follows:

13 It is an unfair practice for any labor union or labor  
14 organization:

15 (1) To deny membership and full membership rights and privileges  
16 to any person because of age, sex, marital status, military spouse  
17 status, sexual orientation, race, creed, color, national origin,  
18 citizenship or immigration status, honorably discharged veteran or  
19 military status, or the presence of any sensory, mental, or physical  
20 disability or the use of a trained dog guide or service animal by a  
21 person with a disability.

22 (2) To expel from membership any person because of age, sex,  
23 marital status, military spouse status, sexual orientation, race,  
24 creed, color, national origin, citizenship or immigration status,  
25 honorably discharged veteran or military status, or the presence of  
26 any sensory, mental, or physical disability or the use of a trained  
27 dog guide or service animal by a person with a disability.

28 (3) To discriminate against any member, employer, employee, or  
29 other person to whom a duty of representation is owed because of age,  
30 sex, marital status, military spouse status, sexual orientation,  
31 race, creed, color, national origin, citizenship or immigration  
32 status, honorably discharged veteran or military status, or the  
33 presence of any sensory, mental, or physical disability or the use of  
34 a trained dog guide or service animal by a person with a disability.

35 **Sec. 7.** RCW 49.60.200 and 2020 c 52 s 12 are each amended to  
36 read as follows:

37 It is an unfair practice for any employment agency to fail or  
38 refuse to classify properly or refer for employment, or otherwise to

1 discriminate against, an individual because of age, sex, marital  
2 status, military spouse status, sexual orientation, race, creed,  
3 color, national origin, citizenship or immigration status, honorably  
4 discharged veteran or military status, or the presence of any  
5 sensory, mental, or physical disability or the use of a trained dog  
6 guide or service animal by a person with a disability, or to print or  
7 circulate, or cause to be printed or circulated any statement,  
8 advertisement, or publication, or to use any form of application for  
9 employment, or to make any inquiry in connection with prospective  
10 employment, which expresses any limitation, specification or  
11 discrimination as to age, sex, race, sexual orientation, creed,  
12 color, or national origin, citizenship or immigration status,  
13 honorably discharged veteran or military status, or the presence of  
14 any sensory, mental, or physical disability or the use of a trained  
15 dog guide or service animal by a person with a disability, or any  
16 intent to make any such limitation, specification, or discrimination,  
17 unless based upon a bona fide occupational qualification: PROVIDED,  
18 Nothing contained herein shall prohibit advertising in a foreign  
19 language.

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