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H.412

Representative Head of South Burlington moves that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The Vermont General Assembly finds that:

(1) At the present time, many persons have been rendered homeless as a result of economic hardship; a shortage of safe, affordable housing; and a shrinking social safety net.

(2) Chapter I, Article 1 of the Constitution of the State of Vermont states that Vermonters are “equally free and independent” and Chapter I, Article 7 states that all Vermonters are entitled to the same benefits and protections. As a result, a person should not be subject to discrimination based on his or her housing status or being homeless.

(3) It is the intent of this act to prohibit discrimination against homeless persons in public accommodations, housing, and employment. In doing so, it is also the intent of this act to help mitigate both the discrimination people without homes face and the adverse effects individuals and communities suffer when a person lacks a home.

1 Sec. 2. 9 V.S.A. § 4501 is amended to read:

2 § 4501. DEFINITIONS

3 As used in this chapter:

4 \* \* \*

5 (11) “Housing status” means the status of being homeless, being a  
6 homeless individual, or being a homeless person, as defined in 42 U.S.C.  
7 § 11302.

8 Sec. 3. 9 V.S.A. § 4502 is amended to read:

9 § 4502. PUBLIC ACCOMMODATIONS

10 (a) An owner or operator of a place of public accommodation or an agent  
11 or employee of such owner or operator shall not, because of the race, creed,  
12 color, national origin, housing status, marital status, sex, sexual orientation, or  
13 gender identity of any person, refuse, withhold from, or deny to that person  
14 any of the accommodations, advantages, facilities, and privileges of the place  
15 of public accommodation.

16 \* \* \*

17 Sec. 4. 9 V.S.A. § 4503 is amended to read:

18 § 4503. UNFAIR HOUSING PRACTICES

19 (a) It shall be unlawful for any person:

20 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental  
21 of, or otherwise make unavailable or deny, a dwelling or other real estate to

1 any person because of the race, sex, sexual orientation, gender identity, age,  
2 marital status, religious creed, color, national origin, housing status, or  
3 disability of a person, or because a person intends to occupy a dwelling with  
4 one or more minor children, or because a person is a recipient of public  
5 assistance.

6 (2) To discriminate against; or to harass any person in the terms,  
7 conditions, or privileges of the sale or rental of a dwelling or other real estate,  
8 or in the provision of services or facilities in connection therewith, because of  
9 the race, sex, sexual orientation, gender identity, age, marital status, religious  
10 creed, color, national origin, housing status, or disability of a person, or  
11 because a person intends to occupy a dwelling with one or more minor  
12 children, or because a person is a recipient of public assistance.

13 (3) To make, print, or publish, or cause to be made, printed, or published  
14 any notice, statement, or advertisement, with respect to the sale or rental of a  
15 dwelling or other real estate, that indicates any preference, limitation, or  
16 discrimination based on race, sex, sexual orientation, gender identity, age,  
17 marital status, religious creed, color, national origin, housing status, or  
18 disability of a person, or because a person intends to occupy a dwelling with  
19 one or more minor children, or because a person is a recipient of public  
20 assistance.

1           (4) To represent to any person because of the race, sex, sexual  
2 orientation, gender identity, age, marital status, religious creed, color, national  
3 origin, housing status, or disability of a person, or because a person intends to  
4 occupy a dwelling with one or more minor children, or because a person is a  
5 recipient of public assistance, that any dwelling or other real estate is not  
6 available for inspection, sale, or rental when the dwelling or real estate is in  
7 fact so available.

8           (5) [Repealed.]

9           (6) To discriminate against any person in the making or purchasing of  
10 loans or providing other financial assistance for real-estate-related transactions,  
11 or in the selling, brokering, or appraising of residential real property, because  
12 of the race, sex, sexual orientation, gender identity, age, marital status,  
13 religious creed, color, national origin, housing status, or disability of a person,  
14 or because a person intends to occupy a dwelling with one or more minor  
15 children, or because a person is a recipient of public assistance.

16           (7) To engage in blockbusting practices, for profit, which may include  
17 inducing or attempting to induce a person to sell or rent a dwelling by  
18 representations regarding the entry into the neighborhood of a person or  
19 persons of a particular race, sex, sexual orientation, gender identity, age,  
20 marital status, religious creed, color, national origin, housing status, or  
21 disability of a person, or because a person intends to occupy a dwelling with

1 one or more minor children, or because a person is a recipient of public  
2 assistance.

3 (8) To deny any person access to or membership or participation in any  
4 multiple listing service, real estate brokers' organization, or other service,  
5 organization, or facility relating to the business of selling or renting dwellings,  
6 or to discriminate against any person in the terms or conditions of such access,  
7 membership, or participation, on account of race, sex, sexual orientation,  
8 gender identity, age, marital status, religious creed, color, national origin,  
9 housing status, or disability of a person, or because a person is a recipient of  
10 public assistance.

11 \* \* \*

12 (12) To discriminate in land use decisions or in the permitting of  
13 housing because of race, sex, sexual orientation, gender identity, age, marital  
14 status, religious creed, color, national origin, housing status, disability, the  
15 presence of one or more minor children, income, or because of the receipt of  
16 public assistance, except as otherwise provided by law.

17 \* \* \*

18 Sec. 5. 21 V.S.A. § 495 is amended to read:

19 § 495. UNLAWFUL EMPLOYMENT PRACTICE

20 (a) It shall be unlawful employment practice, except where a bona fide  
21 occupational qualification requires persons of a particular race, color, religion,

1 national origin, sex, sexual orientation, gender identity, ancestry, place of birth,  
2 age, or physical or mental condition:

3 (1) For any employer, employment agency, or labor organization to  
4 discriminate against any individual because of race, color, religion, ancestry,  
5 national origin, sex, sexual orientation, gender identity, place of birth, housing  
6 status, or age or against a qualified individual with a disability;

7 (2) For any person seeking employees or for any employment agency or  
8 labor organization to cause to be printed, published, or circulated any notice or  
9 advertisement relating to employment or membership indicating any  
10 preference, limitation, specification, or discrimination based upon race, color,  
11 religion, ancestry, national origin, sex, sexual orientation, gender identity,  
12 place of birth, age, housing status, or disability;

13 (3) For any employment agency to fail or refuse to classify properly or  
14 refer for employment or to otherwise discriminate against any individual  
15 because of race, color, religion, ancestry, national origin, sex, sexual  
16 orientation, gender identity, place of birth, housing status, or age or against a  
17 qualified individual with a disability;

18 (4) For any labor organization, because of race, color, religion, ancestry,  
19 national origin, sex, sexual orientation, gender identity, place of birth, housing  
20 status, or age to discriminate against any individual or against a qualified  
21 individual with a disability or to limit, segregate, or qualify its membership;

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\* \* \*

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Sec. 6. 21 V.S.A. § 495d is amended to read:

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§ 495d. DEFINITIONS

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As used in this subchapter:

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\* \* \*

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(15) “Housing status” means the status of being homeless, being a

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homeless individual, or being a homeless person, as defined in 42 U.S.C.

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§ 11302.

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Sec. 7. EFFECTIVE DATE

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This act shall take effect on July 1, 2018.