1	S.197
2	Introduced by Senator Ingram
3 4	Referred to Committee on Economic Development, Housing and General Affairs
5	Date: January 7, 2020
6	Subject: Genetic information; discrimination
7	Statement of purpose of bill as introduced: This bill proposes to prohibit
8	discrimination based on an individual's genetic information in relation to
9	employment, labor relations, insurance coverage, and the provision of social
10	and medical services.
11	An act relating to prohibiting discrimination based on genetic information
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	* * * Genetic Information and Testing * * *
14	Sec. 1. 18 V.S.A. § 9331 is amended to read:
15	§ 9331. DEFINITIONS
16	For purposes of As used in this chapter:
17	* * *
18	(6) "Genetic information" means:

1	(A) the results of genetic testing <u>related to an individual or a family</u>
2	member of the individual contained in any report, interpretation, evaluation, or
3	other record thereof; or
4	(B) the manifestation of a disease or disorder in a family member of
5	the individual.
6	* * *
7	Sec. 2. 18 V.S.A. § 9333 is amended to read:
8 9	§ 9333. GENETIC TESTING; EMPLOYMENT; MEMBERSHIP IN A LABOR ORGANIZATION; PROFESSIONAL LICENSURE
10	(a) No person shall, directly or indirectly, do any of the following as a
11	condition of, or to affect the terms, conditions, or privileges of employment, of
12	membership in a labor organization, or of professional licensure, certification,
13	or registration:
14	* * *
15	(2) use genetic testing results or genetic information from a person an
16	individual or a member of a person's the individual's family;
17	(3) use the diagnosis of a genetic disease derived from a clinical
18	interview and examination, but not derived from the results of a genetic test; or
19	(4) require genetic testing.
20	(b) As used in this section, "employment" includes an application for
21	employment, provided that subject to the underwriting limitations of section
22	9334 of this title, this subsection shall not prohibit use of genetic testing results

1	or genetic information in connection with life, disability income, or long-term
2	care insurance provided under an employee benefit plan.
3	* * *
4	Sec. 3 18 VS A & 0334 is amended to read:
5 6	§ 9334. GENETIC TESTING AS A CONDITION OF INSURANCE COVERAGE
7	(a) No policy of incurance offered for delivery or issued in this State shall
8	be underwritten or conditioned on the basis of:
9	(1) any requirement or agreement of the individual to undergo genetic
10	testing; or
11	(2) the results of genetic testing of genetic information of a member of
12	the individual's family.
13	
	Sec. 3. 18 V.S.A. § 9334 is amended to read:
	§ 9334. GENETIC TESTING AS A CONDITION OF INSURANCE COVERAGE
	(a) No policy of insurance offered for delivery or issued in this State shall be underwritten or conditioned on the basis of:

(2) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or

testing; or

(1) any requirement or agreement of the individual to undergo genetic

(3) the results of genetic testing of genetic information of a member of the individual's family.

\* \* \*

1	* * * Insurance * * *
2	Sec. 4. 8 VS A § 3702 is amended to read:
3 4	§ 3702. OTHER PROHIBITED PRACTICES A life insurance company doing business in the State or an agent thereof
5	shall not:
6	* * *
7	(3) grant a special favor or advantage in the dividends or other benefits
8	to accrue thereon; or
9	(4) provide any valuable consideration or inducement not specified in
10	the policy; or
11	(5)(A) Condition insurance rates, the provision or renewal of insurance
12	coverage or benefits, or other conditions of insurance for any individual on:
13	(i) any requirement or agreement of the individual to undergo
14	genetic testing; or
15	(ii) the genetic information of a member of the individual's family
16	unless the information is contained in the individual's medical record
17	(B) As used in this subdivision, "genetic testing" and "genetic
18	information" have the same meaning as in 10 V.S.A. § 9321.
	Sec. 4. 8 V.S.A. § 3702 is amended to read:
	§ 3702. OTHER PROHIBITED PRACTICES
	A life insurance company doing business in the State or an agent thereof shall not do any of the following:
	(1) issue Issue a policy of insurance or make an agreement other than

that plainly expressed in the policy issued to the insured;

- (2) pay Pay or allow, or offer to pay or allow, as an inducement to insurance, a rebate or premium payable on the policy;.
- (3) grant Grant a special favor or advantage in the dividends or other benefits to accrue thereon; or.
- (4) <u>provide</u> <u>Provide</u> any valuable consideration or inducement not specified in the policy.
- (5)(A) Condition insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for any individual on:
- (i) any requirement or agreement of the individual to undergo genetic testing;
- (ii) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or
- (iii) the genetic information of a member of the individual's family.
- (B) As used in this subdivision (5), "genetic testing" and "genetic information" have the same meaning as in 18 V.S.A. § 9331.
- (C) Notwithstanding subdivisions (A) and (B) of this subdivision (5), a life insurance company or its agent may condition insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for an individual on the individual's family medical history, including the manifestation of a disease or disorder in one or more family members of the individual, provided that there is a relationship between the individual's family medical history and the cost of the insurance risk that the insurer would assume by insuring the individual. In demonstrating the relationship, the insurer can rely on actual or reasonably anticipated experience.
- (6) Request, require, purchase, or use information obtained from an entity providing direct-to-consumer genetic testing without the informed written consent of the individual who has been tested.
- 1 Sec. 5 & V.S. A. & A724 is amonded to read:
- § 4724. UNFAIR METHODS OF COMPETITION OR UNFAIR OR
   DECEPTIVE ACTS OR PRACTICES DEFINED
- The following are hereby defined as unfair methods of competition or
- 5 unfair or decentive acts or practices in the business of insurance.

I	
2	(7) Unfair discrimination; arbitrary underwriting action.
3	* * *
4	(Q) Making or permitting any unfair discrimination against any
5	individual by conditioning insurance rates, the provision or renewal of
6	insurance coverage, or other conditions of insurance based on medical
7	information, including the results of genetic testing the individual's genetic
8	information, where there is not a relationship between the medical information
9	and the cost of the insurance risk that the insurer would assume by insuring the
10	proposed insured. In demonstrating the relationship, the insurer can rely on
11	actual or reasonably anticipated experience. As used in this subdivision,
12	"genetic testing information" shall be defined as the term is defined has the
13	same meaning as in 18 V.S.A. § 9331(7) 9331
14	***
15	(22) Genetic testing.
16	(A) Conditioning insurance rates, the provision or renewal of
17	insurance coverage or benefits, or other conditions of insurance for any
18	individual on:
19	(i) any requirement or agreement of the individual to undergo
20	genetic testing; or

- 1 (ii) the results of genetic testing genetic information of a member
  2 of the individual's family unless the results are information is contained in the
  3 individual's medical record.
- 4 (B) As used in this subdivision, "genetic testing" shall be defined as
  5 the term is defined and "genetic information" have the same meaning as in
  6 18 V.S.A. \$ 9221(7) 9221.
  - Sec. 5. 8 V.S.A. § 4724 is amended to read:

## § 4724. UNFAIR METHODS OF COMPETITION OR UNFAIR OR DECEPTIVE ACTS OR PRACTICES DEFINED

The following are hereby defined as unfair methods of competition or unfair or deceptive acts or practices in the business of insurance:

\* \* \*

(7) Unfair discrimination; arbitrary underwriting action.

\* \* \*

(D) Making or permitting any unfair discrimination against any individual by conditioning insurance rates, the provision or renewal of insurance coverage, or other conditions of insurance based on medical information, including the results of genetic testing, where there is not a relationship between the medical information and the cost of the insurance risk that the insurer would assume by insuring the proposed insured. In demonstrating the relationship, the insurer can rely on actual or reasonably anticipated experience. As used in this subdivision, "genetic testing" shall be defined as the term is defined in 18 V.S.A. § 9331(7).

\* \* \*

- (F)(i) Making or permitting any unfair discrimination against any individual by conditioning insurance rates, the provision or renewal of insurance coverage, or other conditions of insurance on:
- (I) any requirement or agreement of the individual to undergo genetic testing;
- (II) genetic information of the individual that may be associated with a potential genetic condition in that individual, but which has not resulted in a diagnosed condition in the individual; or

(III) the genetic information of a member of the individual's family.

(ii) As used in this subdivision (7)(F), "genetic testing" and "genetic information" have the same meaning as in 18 V.S.A. § 9331.

\* \* \*

## (22) Genetic testing.

- (A) Conditioning insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for any individual on:
- (i) any requirement or agreement of the individual to undergo genetic testing; or
- (ii) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or
- (iii) the results of genetic testing genetic information of a member of the individual's family unless the results are contained in the individual's medical record.
- (B) As used in this subdivision (22), "genetic testing" shall be defined as the term is defined and "genetic information" have the same meaning as in 18 V.S.A. § 9331(7) 9331.
- 1 Sec. 6. 8 V.S.A. § 5115 is amended to read:
- § 5115. DUTY OF NONPROFIT HEALTH MAINTENANCE
   ORGANIZATIONS
- 4 (a) Any nonprofit health maintenance organization subject to this chapter
- shall offer nongroup plans to individuals in accordance with section 4080b of
- 6 this title without discrimination based on age, gender, industry, genetic
- 7 information, and medical history, except as allowed by subdivisions
- 8 4080a(h)(2)(B) and 4080b(h)(2)(B) of this title pursuant to 33 V.S.A.
- 9 § 1811(f)(2)(A).

1	(b) As used in this section, "genetic information" has the same meaning as
2	in 18 V.S.A. § 9331.
3	Sec. 7 & V.S. A. & 8086 is amended to read.
4	§ 80%. PREEXISTING CONDITIONS; GENETIC TESTING
5	* * *
6	(b)(1) No long-term care insurance policy or certificate may exclude
7	coverage for a loss or confinement which is the result of a preexisting
8	condition, unless such loss or confinement begins within six months following
9	the effective date of coverage of an insured person.
10	(2)(A) No long-term care a surance policy or certificate may condition
11	insurance rates, the provision or renew l of insurance coverage or benefits, or
12	other conditions of insurance for any individual on:
13	(i) any requirement or agreement of the individual to undergo
14	genetic testing; or
15	(ii) the genetic information of a member of the individual's family
16	unless the information is contained in the individual's medical record.
17	(B) As used in this subdivision, "genetic testing" and "genetic
18	information" have the same meaning as in 18 V.S.A. § 9331.
19	

Sec. 7. 8 V.S.A. § 8086 is amended to read: § 8086. PREEXISTING CONDITIONS; GENETIC TESTING

- (b)(1) No long-term care insurance policy or certificate may exclude coverage for a loss or confinement which is the result of a preexisting condition, unless such loss or confinement begins within six months following the effective date of coverage of an insured person.
- (2)(A) No long-term care insurance policy or certificate may condition insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for any individual on:
- (i) any requirement or agreement of the individual to undergo genetic testing;
- (ii) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or
- the genetic information of a member of the individual's family.
- (B) As used in this subdivision, "genetic testing" and "genetic information" have the same meaning as in 18 V.S.A. § 9331.

\* \* \* Employment \* \* \* 1

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Sec. 8. 21 V.S.A. § 495 is amended to read:

§ 495. UNLAWFUL EMPLOYMENT PRACTICE (a) It shall be unlawful employment practice, except where a bona fide occupational qualification requires persons of a particular race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, or physical or mental condition, or with particular genetic information:

(1) For any employer, employment agency, or labor organization to discriminate against any individual because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, crime

1	victim status, genetic information, or age or against a qualified individual with
2	a disability;
3	(2) For any person seeking employees or for any employment agency or
4	labor organization to cause to be printed, published, or circulated any notice or
5	advertisement relating to employment or membership indicating any
6	preference, limitation, specification, or discrimination based upon race, color,
7	religion, ancestry, national origin, sex, sexual orientation, gender identity,
8	place of birth, crime victim status, genetic information, age, or disability;
9	(3) For any employment agency to fail or refuse to classify properly or
10	refer for employment or to otherwise discriminate against any individual
11	because of race, color, religion, ancestry, national origin, sex, sexual
12	orientation, gender identity, place of birth, crime victim status, genetic
13	information, or age or against a qualified individual with a disability;
14	(4) For any labor organization, because of race, color, religion, ancestry,
15	national origin, sex, sexual orientation, gender identity, place of birth, crime
16	victim status, genetic information, or age to discriminate against any
17	individual or against a qualified individual with a disability or to limit,
18	segregate, or qualify its membership;
19	* * *
20	Sec. 9. 21 V.S.A. § 495d is amended to read:
21	§ 495d. DEFINITIONS

As used in this subchapter:

1	* * *
2	(16) "Genetic information" has the same meaning as in 18 V.S.A.
3	<u>§ 9331.</u>
4	* * * Labor Relations * * *
5	Sec. 10. 3 V.S.A. § 902 is amended to read:
6 7	§ 902. DEFINITIONS  As used in this chapter:
8	* * *
9	(13) "Genetic information" has the same meaning as in 18 V.S.A.
10	<u>§ 9331.</u>
11	* * *
12	Sec. 11. 3 V.S.A. § 904 is amended to read:
13	§ 904. SUBJECTS FOR BARGAINING
14	(a) All matters relating to the relationship between the employer and
15	employees shall be the subject of collective bargaining except those matters
16	that are prescribed or controlled by statute. The matters appropriate for
17	collective bargaining to the extent they are not prescribed or controlled by
18	statute include:
19	* * *
20	(9) rules for personnel administration, except the following: rules
21	relating to persons exempt from the classified service under section 311 of this
22	title and rules relating to applicants for employment in State service and

1	employees in an initial probationary status, including any extension or
2	extensions thereof, provided the rules are not discriminatory by reason of an
3	applicant's race, color, creed, sex, national origin, sexual orientation, gender
4	identity, ancestry, place of birth, age, genetic information, or physical or
5	mental condition; and
6	* * *
7	Sec. 12. 3 V.S.A. § 961 is amended to read:
8	§ 961. EMPLOYERS
9	It shall be an unfair labor practice for an employer:
10	* * *
11	(6) to discriminate against an employee on account of race, color, creed,
12	religion, age, disability, sex, sexual orientation, gender identity, genetic
13	information, or national origin;
14	* * *
15	Sec. 13. 3 V.S.A. § 963 is amended to read:
16	§ 963. MEMBERSHIP; EMPLOYEES' RIGHTS
17	An employee organization entering into an agreement shall not:
18	(1) discriminate against a person seeking or holding membership therein
19	in the organization on account of race, color, creed, religion, age, disability,
20	sex, sexual orientation, gender identity, genetic information, or national origin;
21	* * *
22	Sec. 14. 3 V.S.A. § 1001 is amended to read:

1	§ 1001. GRIEVANCES; APPLICANTS AND EXCLUDED PERSONNEL
2	(a) Persons who are applicants for State employment in the classified
3	service and classified employees in their initial probationary period and any
4	extension or extensions thereof may appeal to the State Labor Relations Board
5	if they believe themselves discriminated against on account of their race, color,
6	creed, religion, disability, sex, sexual orientation, gender identity, age, genetic
7	information, or national origin.
8	* * *
9	Sec. 15. 3 V.S.A. § 1011 is amended to read:
10	§ 1011. DEFINITIONS
11	As used in this chapter:
12	* * *
13	(18) "Genetic information" has the same meaning as in 18 V.S.A.
14	<u>§ 9331.</u>
15	Sec. 16. 3 V.S.A. § 1013 is amended to read:
16	§ 1013. SUBJECTS FOR BARGAINING
17	All matters relating to the relationship between the employer and
18	employees are subject to collective bargaining, to the extent those matters are
19	not prescribed or controlled by law, including:
20	* * *
21	(9) rules for personnel administration of employees provided the rules
22	are not discriminatory in regard to an applicant's race, color, creed, sex, sexual

1	orientation, gender identity, age, national origin, religion, genetic information,
2	or disability;
3	* * *
4	Sec. 17. 3 V.S.A. § 1026 is amended to read:
5	§ 1026. EMPLOYERS
6	It shall be an unfair labor practice for an employer:
7	* * *
8	(6) to discriminate against an employee on account of race, color, creed,
9	sex, sexual orientation, gender identity, national origin, age, religion, genetic
10	information, or disability;
11	* * *
12	Sec. 18. 3 V.S.A. § 1028 is amended to read:
13	§ 1028. MEMBERSHIP; EMPLOYEE RIGHTS
14	An employee organization entering into an agreement shall not:
15	(1) discriminate against a member or applicant for membership on
16	account of race, color, creed, sex, sexual orientation, gender identity, national
17	origin, age, religion, genetic information, or disability;
18	* * *
19	Sec. 19. 3 V.S.A. § 1041 is amended to read:
20	§ 1041. GRIEVANCES; APPLICANTS AND EXCLUDED PERSONNEL
21	(a) An applicant for employment in a position included in the bargaining
22	unit and employees who are in the initial or extended probationary period may

1	appeal to the Board if they believe they were discriminated against on account
2	of race, color, creed, sex, sexual orientation, gender identity, age, national
3	origin, religion, genetic information, or disability.
4	* * *
5	Sec. 20. 21 V.S.A. § 1502 is amended to read:
6 7	§ 1502. DEFINITIONS  As used in this chapter:
8	* * *
9	(15) "Genetic information" has the same meaning as in 18 V.S.A.
10	<u>§ 9331.</u>
11	Sec. 21. 21 V.S.A. § 1621 is amended to read:
12	§ 1621. UNFAIR LABOR PRACTICES
13	(a) It shall be an unfair labor practice for an employer:
14	* * *
15	(7) To discriminate against an employee on account of race, color,
16	creed, religion, sex, sexual orientation, gender identity, national origin, age,
17	genetic information, or disability.
18	* * *
19	(b) It shall be an unfair labor practice for a labor organization or its agents:
20	* * *
21	(8) Compulsory membership; employees' rights. A To, where the labor
22	organization entering has entered into an agreement requiring a person's

1	membership therein in the labor organization as a condition of employment by
2	the employer shall not:
3	(A) discriminate against a person seeking or holding membership
4	therein in the labor organization on account of race, color, disability, religion,
5	creed, sex, sexual orientation, gender identity, age, genetic information, or
6	national origin;
7	* * *
8	Sec. 22. 21 V.S.A. § 1631 is amended to read:
9	§ 1631. DEFINITIONS
10	As used in this chapter:
11	* * *
12	(5) "Genetic information" has the same meaning as in 18 V.S.A. § 9331.
13	(6) "Grievance" means the exclusive representative's formal written
14	complaint regarding the improper application of one or more terms of the
15	collective bargaining agreement, the failure to abide by any agreement
16	reached, or the discriminatory application of a rule or regulation, which has
17	not been resolved to a satisfactory result through informal discussion with the
18	State.
19	(6)(7) "Independent direct support provider" means any individual who
20	provides home- and community-based services to a service recipient and is
21	employed by the service recipient, shared living provider, or surrogate.

1	(7)(8) "Labor organization" means an organization of any kind in which
2	independent direct support providers participate and which exists, in whole or
3	in part, for the purpose of representing independent direct support providers.
4	(8)(9) "Service recipient" means a person who receives home- and
5	community-based services under the Choices for Care Medicaid waiver, the
6	Attendant Services Program (ASP), the Children's Personal Care Service
7	Program, the Developmental Disabilities Services Program, or any successor
8	program or similar program subsequently established.
9	(9)(10) "Shared living provider" means a person who operates under a
10	contract with an authorized agency and provides individualized home support
11	for one or two people who live in his or her home. An authorized agency
12	includes a designated agency for developmental services.
13	(10)(11) "Surrogate" means a service recipient's authorized family
14	member, legal guardian, or a person identified in a written agreement as
15	having responsibility for the care of a service recipient.
16	Sec. 23. 21 V.S.A. § 1637 is amended to read:
17	§ 1637. GENERAL DUTIES AND PROHIBITED CONDUCT
18	* * *
19	(b) It shall be an unfair labor practice for the State to:
20	* * *

1	(6) discriminate against an independent direct support provider based on
2	race, color, creed, religion, age, gender, sexual orientation, gender identity,
3	genetic information, or national origin, or because the provider is a qualified
4	individual with a disability.
5	* * *
6	Sec. 24. 21 V.S.A. § 1722 is amended to read:
7	§ 1722. DEFINITIONS
8	As used in this chapter:
9	* * *
10	(23) "Genetic information" has the same meaning as in 18 V.S.A.
11	<u>§ 9331.</u>
12	Sec. 25. 21 V.S.A. § 1726 is amended to read:
13	§ 1726. UNFAIR LABOR PRACTICES
14	(a) It shall be an unfair labor practice for an employer:
15	* * *
16	(7) To discriminate against an employee on account of race, color,
17	religion, creed, sex, sexual orientation, gender identity, national origin,
18	disability, age, genetic information, or political affiliation.
19	* * *
20	(b) It shall be an unfair labor practice for an employee organization or its
21	agents:

I	* * *
2	(9) To discriminate against a person seeking or holding membership
3	therein in the employee organization on account of race, color, religion, creed,
4	sex, sexual orientation, national origin, disability, age, genetic information, or
5	political affiliation.
6	* * *
7	Sec. 26. 33 V.S.A. § 3602 is amended to read:
8	§ 3602. DEFINITIONS
9	As used in this chapter:
10	* * *
11	(7) "Genetic information" has the same meaning as in 18 V.S.A. § 9331.
12	Sec. 27. 33 V.S.A. § 3612 is amended to read:
13	§ 3612. GENERAL DUTIES AND PROHIBITED CONDUCT
14	* * *
15	(b) It shall be an unfair labor practice for the State to:
16	* * *
17	(6) discriminate against an early care and education provider based on
18	race, color, religion, ancestry, age, sex, sexual orientation, gender identity,
19	national origin, place of birth, genetic information, or marital status, or against
20	a qualified disabled individual; or
21	* * *

1	* * * Social and Medical Services * * *
2	Sec. 28. 8 V.S.A. § 4588 is amended to read:
3	§ 4588. ANNUAL REPORT TO COMMISSIONER
4	(a) Annually, on or before March 15, a medical service corporation shall
5	file with the Commissioner of Financial Regulation a statement sworn to by
6	the president and treasurer of the corporation showing its condition on
7	December 31, which shall be in such form and contain such matters as the
8	Commissioner shall prescribe. To qualify for the tax exemption set forth in
9	section 4590 of this title, the statement shall include a certification that the
10	medical service corporation operates on a nonprofit basis for the purpose of
11	providing an adequate medical service plan to individuals of the State, both
12	groups and nongroups, without discrimination based on age, gender,
13	geographic area, industry, genetic information, and medical history, except as
14	allowed by subdivisions 4080a(h)(2)(B) and 4080b(h)(2)(B) of this title
15	pursuant to 33 V.S.A. § 1811(f)(2)(A).
16	(b) As used in this section, "genetic information" has the same meaning as
17	in 18 V.S.A. § 9331.
18	Sec. 29. 8 V.S.A. § 4516 is amended to read:
19	§ 4516. ANNUAL REPORT TO COMMISSIONER
20	(a) Annually, on or before March 15, a hospital service corporation shall
21	file with the Commissioner of Financial Regulation a statement sworn to by
22	the president and treasurer of the corporation showing its condition on

December 31. The statement shall be in such form and contain such matters as
the Commissioner shall prescribe. To qualify for the tax exemption set forth in
section 4518 of this title, the statement shall include a certification that the
hospital service corporation operates on a nonprofit basis for the purpose of
providing an adequate hospital service plan to individuals of the State, both
groups and nongroups, without discrimination based on age, gender,
geographic area, industry, genetic information, and medical history, except as
allowed by subdivisions 4080a(h)(2)(B) and 4080b(h)(2)(B) of this title
pursuant to 33 V.S.A. § 1811(f)(2)(A).
(b) As used in this section, "genetic information" has the same meaning as
<u>in 18 V.S.A. § 9331.</u>
Sec. 30. 33 V.S.A. § 101 is amended to read:
§ 101. POLICY
It is the policy of the State of Vermont that:
* * *
(3) Assistance and benefits shall be administered promptly, with due
regard for the preservation of family life, and without restriction of individual
rights or discrimination on account of race, religion, political affiliation,
genetic information, or place of residence within the State.

1	* * * Financial Services * * *
2	Sec. 31. 8 V.S.A. § 10403 is amended to read:
3 4 5 6	§ 10403. PROHIBITION ON DISCRIMINATION BASED ON SEX, MARITAL STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY
7	(a) No financial institution shall discriminate against any applicant for
8	credit services on the basis of the sex, marital status, race, color, religion,
9	national origin, age, sexual orientation, gender identity, genetic information, or
10	disability of the applicant, provided the applicant has the legal capacity to
11	contract.
12	* * *
13	(c) Definitions. As used in this section:
14	* * *
15	(8) "Genetic information" has the same meaning as in 18 V.S.A. § 9331
16	* * *
17	Sec. 32. 9 V.S.A. § 2362 is amended to read:
18 19 20 21	§ 2362. PROHIBITION ON DISCRIMINATION BASED ON SEX, SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE OR DISABILITY
22	(a) No seller shall discriminate against any buyer or prospective buyer who
23	desires to establish a retail installment contract because of the sex, sexual
24	orientation, gender identity, marital status, race, color, religion, national origin
25	age, genetic information, or disability of the buyer.

1	(b) As used in this section, "genetic information" has the same meaning as
2	in 18 V.S.A. § 9331.
3	Sec. 33. 9 V.S.A. § 2410 is amended to read:
4 5 6 7	§ 2410. PROHIBITION ON DISCRIMINATION BASED ON SEX, SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, OR DISABILITY
8	(a) No seller shall discriminate against any buyer or prospective buyer who
9	desires to establish a retail installment contract or retail charge agreement
10	because of the sex, sexual orientation, gender identity, marital status, race,
11	color, religion, national origin, age, genetic information, or disability of the
12	buyer.
13	(b) As used in this section, "genetic information" has the same meaning as
14	in 18 V.S.A. § 9331.
15	* * * Real Estate, Housing, and Public Accommodations * * *
16	Sec. 34. 9 V.S.A. § 2388 is amended to read:
17 18 19 20	§ 2388. PROHIBITION ON DISCRIMINATION BASED ON SEX, SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE OR DISABILITY
21	(a) No person shall discriminate against any lessee or prospective lessee
22	who has entered into an agricultural finance lease, or who desires to enter into
23	an agricultural finance lease, because of the sex, sexual orientation, gender
24	identity, marital status, race, color, religion, national origin, age, genetic
25	information, or disability of the lessee.

1	(b) As used in this section, "genetic information" has the same meaning as
2	in 18 V.S.A. § 9331.
3	Sec. 35. 9 V.S.A. § 4501 is amended to read:
4	§ 4501. DEFINITIONS
5	As used in this chapter:
6	* * *
7	(12) "Genetic information" has the same meaning as in 18 V.S.A.
8	<u>§ 9331.</u>
9	Sec. 36. 9 V.S.A. § 4502 is amended to read:
10	§ 4502. PUBLIC ACCOMMODATIONS
11	(a) An owner or operator of a place of public accommodation or an agent
12	or employee of such the owner or operator shall not, because of the race,
13	creed, color, national origin, marital status, sex, sexual orientation, or gender
14	identity, or genetic information of any person, refuse, withhold from, or deny
15	to that person any of the accommodations, advantages, facilities, and
16	privileges of the place of public accommodation.
17	* * *
18	Sec. 37. 9 V.S.A. § 4503 is amended to read:
19	§ 4503. UNFAIR HOUSING PRACTICES
20	(a) It shall be unlawful for any person:
21	(1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
22	of, or otherwise make unavailable or deny, a dwelling or other real estate to

any person because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

- (2) To discriminate against, or to harass any person in the terms, conditions, privileges, and protections of the sale or rental of a dwelling or other real estate, or in the provision of services or facilities in connection therewith, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.
- (3) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling or other real estate that indicates any preference, limitation, or discrimination based on race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of

public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

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

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- (6) To discriminate against any person in the making or purchasing of loans or providing other financial assistance for real-estate-related transactions or in the selling, brokering, or appraising of residential real property, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.
- (7) To engage in blockbusting practices, for profit, which may include inducing or attempting to induce a person to sell or rent a dwelling by

representations regarding the entry into the neighborhood of a person or persons of a particular race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

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

(12) To discriminate in land use decisions or in the permitting of housing because of race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, disability, the presence of one or more minor children, income, or because of the receipt

1	of public assistance, or because a person is a victim of abuse, sexual assault, or
2	stalking, except as otherwise provided by law.
3	* * *
4	* * * Effective Date * * *
5	Sec. 38. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

6